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Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

It is the Policy of the CBSA to collect information on the details of any use of force incident. This will provide the CBSA with information on the types and frequency of these incidents. It will also enable the CBSA to make important decisions regarding the safety and security of staff and ongoing training needs. The information collected on this form is protected and may be disclosed to internal or external bodies as consistent use, or pursuant to other provisions listed under section 8(2) of the Privacy Act <http://laws-lois.justice.gc.ca/eng/acts/P-21/index.html>. The information is held in CBSA Bank PIB PPU 012. Further explanations about the information contained in the Bank may be found in the Info Source guide located in public libraries, or online at <http://www.infosource.gc.ca>.

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2015/07/12		
Location of Incident / Lieu de l'incident			
Southern Ontario, Fort Erie, Peace Bridge - Traffic/Bus, Peace Bridge Primary Inspection Line 6			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2016/06/10	2016/07/26		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager : Use of Force Policy Unit, Arming Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor/Senior Program Officer- Use of Force Policy Unit, Arming Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer : Use of Force Policy Unit, Arming Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
Sunday July 12th 2015, BSO was working in Primary Inspection Line 6 of the Peace Bridge POE in Fort Erie Ontario. At 21:41hrs a grey New York plated car approached the inspection booth. The vehicle pulled very close to the door of the booth. The vehicle had two US citizen occupants; the driver and the passenger			
was armed and dangerous.			

Both subjects were escorted to interview rooms by multiple officers. It took some time and questioning before we were able to confirm the identity [REDACTED] It was subsequently determined that [REDACTED] had several outstanding warrants in York Region for which he was arrested. York Regional Police attended and took him into their custody.

Adherence to the Policy / Conformité aux politiques

The decision by BSO to employ the low risk technique of cooperative handcuffing, disregard the tactical principle of cover and not arrest/detain prior to applying restraints is not supported by CBSA Use of Force Policy. Furthermore, these actions

are considered outside the IMIM as they unnecessarily put BSO

and possibly others at increased safety risk.

Based on the articulations that state the risk assessments conducted by the BSO's that included the various situation factors, and "armed and dangerous" status and personal perceptions, the decision to deploy duty firearms to the low ready by the officers involved was reasonable for the situation they perceived.

Overall Comments and Recommendations / Commentaires globaux et recommandations

Signature & Date

David HARRIS

Signature

2016/07/26

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2016/04/14
Location of Incident / Lieu de l'incident	
Southern Ontario, Fort Erie, Peace Bridge - Traffic/Bus, Fort Erie Peace Bridge Secondary	
Officer(s) Directly Involved / Agent(e)s(s) directement impliqué(e)s(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	, Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	, Badge Number / N° d'insigne:
Witnesses (if any) / Témoin(s) (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2017/05/16	2017/05/29
Management Review Completed by / Révision par la gestion complétée par	
Name Nom David Harris	Title Titre Manager : Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom Trevor Berg	Title Titre UOF/Firearms Instructor/ Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom Kerry Tierney	Title Titre Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Synopsis of the Complete Incident / Synopsis de l'incident complet	
On April 14th, 2016 at approximately 1730 at the Peace Bridge Port of Entry (POE), Fort Erie, Ontario a United States permanent resident (originally from arriving by bus did not meet immigration requirements to enter Canada and was therefore issued an Allowed To Leave By BSO	

Adherence to the Policy / Conformité aux politiques

The use of soft physical control techniques in this incident by BSO's to address the actively resistant behavior displayed by the subject is considered justified and is in line with CBSA Use of Force policy and training.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no recommendations resulting from this incident.

Signature & Date

David HARRIS

Signature

2017/05/29

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2016/06/06		
Location of Incident / Lieu de l'incident			
Southern Ontario, Fort Erie, Peace Bridge - Traffic/Bus, Fort Erie Peace Bridge Traffic Operations			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom	Badge Number / N° d'insigne:		
Name / Nom	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoin(s) (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2017/05/23	2017/05/29		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager : Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor/ Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On Monday, June 6th, 2016 at approximately 18:30hrs, BSO		encountered the subject	
driving a		Washington State plates in the Secondary Examination Area in the Peace	
Bridge Traffic Operations			

Adherence to the Policy / Conformité aux politiques

The tactics that the officers used of trying to remove the driver and remaining beside the moving vehicle are considered to have placed them at risk and therefore contrary to the Incident Management Intervention Model and outside CBSA Use of Force Policy.

The subsequent level of force used by officers to extract the resistant driver from the vehicle and gain control to handcuff her was proportional and in line with policy and training.

Overall Comments and Recommendations / Commentaires globaux et recommandations

It is recommended that BSOs conduct a debrief with a use of force instructor in order address the importance of the "stability of the stop" in relation to officer safety and the threat posed by subjects who still have the ability to immediately drive their vehicles.

Signature & Date

David HARRIS

2017/05/29

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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Incident No. / N° de l'incident	Date of Incident / Date de l'incident	
	2014/11/21	
Location of Incident / Lieu de l'incident		
Southern Ontario, Whirlpool Bridge - Traffic, Whirlpool Bridge Traffic Ops		
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)		
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne:	
Witnesses (if any) / Témoin(s) (si applicable)		
Technical Review Completed by / Revue technique effectuée par		
Name / Nom: Campbell, Ryan, Badge Number / N° d'insigne: 13921		
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu	
2015/04/23	2015/04/23	
Management Review Completed by / Révision par la gestion complétée par		
Name Nom	Jeff BEAN	Title Titre
Acting Manager - Southern Ontario Campus		
Synopsis of the Complete Incident / Synopsis de l'incident complet		
<p>On November 21, 2014 Border Services Officer and BSO heard loud screaming coming from the outside of the office. A male subject who later became known as was walking down the bridge with what appeared to be a machete. The subject was dressed in jeans and a shirt and had a contractors' tool belt and harness on. Both BSOs saw the subject walking down the Whirlpool Bridge, yelling incoherently and smashing what appeared to be a machete on the guard rail. BSO and BSO followed the subject down the bridge and gave commands for him to drop his weapon.</p>		

Adherence to the Policy / Conformité aux politiques

Based on the information provided herein, I agree with the recommendations provided by BSI Campbell.

Overall Comments and Recommendations / Commentaires globaux et recommandations

Recommendations

- review contact cover roles as it pertains to dealing with high risk individuals presenting grievous bodily harm and death with a CDFT instructor
- review IMIM behaviour definitions with a CDFT instructor

BSO would benefit from a one on one debrief with a CDFT instructor regarding this incident.

Signature & Date

Jeff BEAN

2015/04/23

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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L'ASFCA a pour politique de recueillir de l'information sur les détails de tout incident relatif au recours à la force. Cette pratique permettra à l'ASFCA de rassembler des informations sur les types et la fréquence des incidents. Elle permettra également à l'ASFCA de prendre des décisions importantes en matière de sécurité et de protection en lien avec le personnel et les besoins de la formation continue. L'information recueillie dans ce formulaire est protégée et peut être communiquée à des organismes internes ou externes selon un usage compatible ou en vertu d'autres dispositions énoncées au paragraphe 8(2) de la Loi sur la protection des renseignements personnels <http://laws-lois.justice.gc.ca/eng/lois/P-21/index.html>. L'information est conservée dans un fichier de l'ASFCA PIB PPU 012. Des explications complémentaires sur l'information conservée dans ce fichier figurent dans le guide Info Source, disponible dans les bibliothèques, ou dans le site Internet d'Info Source <http://www.infosource.gc.ca>.

Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2013/06/27
Location of Incident / Lieu de l'incident	
Southern Ontario, Rainbow Bridge - Traffic, Rainbow Bridge Traffic - Secondary	
Officer(s) Directly Involved / Agent(e)(s) directement impliquée(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Murrell, Dan, Badge Number / N° d'insigne: 14043	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2013/07/26	2013/07/26
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Traci MULLANE	Title Titre a/Manager Training & Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Use of Force report paints clear picture of the circumstances for the report. Secondary examination where officer picked up on threat cues, both verbal and physical and prepared to defend himself by taking his OC out to low ready. Officer continued with verba	

Conformance to the Policy / Conformité aux politiques

adheres to policy

Overall Comments and Recommendations / Commentaires globaux et recommandations

None.

Signature & Date

Traci MULLANE

Signature

2013/07/26

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2013/07/31
Location of Incident / Lieu de l'incident	
Southern Ontario, Rainbow Bridge - Traffic, Rainbow Bridge	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoin(s) (si applicable)	
Name / Nom:	Badge Number / N° d'insigne:
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Murrell, Dan, Badge Number / N° d'insigne: 14043	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2013/09/04	2013/09/04
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Traci MULLANE	Title Titre A/Manager SOR Campus
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Two male subjects referred to Customs secondary for exam. Phone on first subject indicated what appeared to be photos of the subject with suspected marijuana. Officers asked the second subject to unlock his cell phone. Subject would not give Officers password verbally so phone was given back to the subject who quickly appeared to unlock and hit other buttons on phone in what appeared to be an attempt to delete photos and/or information.	

Adherence to the Policy / Conformité aux politiques

Sufficient grounds to arrest for Hindering existed. The minimal use of force (a grab of the wrist to stop possible destruction of evidence) was consistent with the non-cooperative behaviour exhibited.

Overall Comments and Recommendations / Commentaires globaux et recommandations

I spoke and explained to both [REDACTED] that if they believed the Subject was attempting to delete/destroy any material/photos etc that were relevant to a Customs matter that they had the ability to arrest for hindering. Since there was a "grab" of the wrist/arm/hand of the Subject (physical contact made) that an arrest should have been made as soon as possible (as long as the situation was under control and safe to do so). I believe the Officer's used judgment in the sense that it became apparent the person may not be actually attempting to destroy/delete evidence but rather remove embarrassing pictures on a phone.
The Officer's certainly understood this and I do not think there is any need to go beyond the discussion we already had in relation to the incident.

Signature & Date

Traci MULLANE

2013/09/04

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2013/11/27
Location of Incident / Lieu de l'incident	Southern Ontario, Rainbow Bridge - Traffic, Rainbow Bridge
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	Name / Nom: Badge Number / N° d'insigne: Name / Nom: Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Murrell, Dan, Badge Number / N° d'insigne: 14043	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/01/26	2014/01/26
Management Review Completed by / Révision par la gestion complétée par	
Name Nom: Danny YEN	Title Titre: Manager, Training & Learning, SO Campus
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Male subject under arrest (possible drug impairment). While in cell the subject urinated and defecated on the cell floor. Was verbally aggressive towards officers. At the time it was discovered what he had done in cell he was moved to another cell. Officers also realized he had managed to get his rear cuffed hands around his body to the front. As Officers released one of the cuffs in order to reapply them from the rear, the subject pulled away.	

Adherence to the Policy / Conformité aux politiques

Officers use of force in accordance with CBSA policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

none

Signature & Date

Danny YEN

Signature

2014/01/26

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

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Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/06/09
Location of Incident / Lieu de l'incident	
Southern Ontario, Rainbow Bridge - Traffic, Interview Room A	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Name / Nom: Badge Number / N° d'insigne:	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Ross, Jared, Badge Number / N° d'insigne: 13689	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/09/10	2014/09/10
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Danny YEN	Title Titre Manager, Training & Learning, Southern Ontario Campus
Synopsis of the Complete Incident / Synopsis de l'incident complet	
During a secondary examination of an Ontario plated white pickup truck, that contained a male and female traveler, a purse and pocket search was conducted. The search of the male traveler was conducted without incident and he was removed from the examination area.	
The female passenger was then brought into the room with her purse and a cup of coffee in her hands. She placed the purse and the coffee on the desk and began to remove items from her pocket. She suddenly has a change of heart and picks up the coffee, reaches for the purse (which officer holds onto) and proceeds to walk towards the door. Officers and both grab her by the arm to prevent her from leaving, and pull her back into the room and over top of the desk in the	

Adherence to the Policy / Conformité aux politiques

Officers use of force was in accordance with CBSA policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

None required.

Signature & Date

Danny YEN

2014/09/10

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/06/16
Location of Incident / Lieu de l'incident	
Southern Ontario, Rainbow Bridge - Traffic, RB 4272	
Officer(s) Directly Involved / Agent(e)s directement impliqué(e)s	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Superintendent	
Superintendent	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/07/24	2014/08/01

Management Review Completed by / Révision par la gestion complétée par

Name Nom	David Harris	Title Titre	Manager Use of Force Policy Unit, Arming Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor Use of Force Policy Unit, Arming Division
Name Nom	Cathy Christenson	Title Titre	UOF/Firearms Instructor: Use of Force Instructor Recruitment and Development Unit, Arming Division
Name Nom	Maureen Haley	Title Titre	A/Manager; Traveller Compliance Unit, Program Compliance and Outreach Division
Name Nom	Steve Durocher	Title Titre	Manager: Use of Force & Enforcement Programs Unit, Planning and Design Solutions Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Advisor: Use of Force & Enforcement Programs Unit, Planning and Design Solutions Division
Name Nom	Zrinka Barisic	Title Titre	Senior Program Advisor; Investigations, Enforcement and Intelligence Programs Directorate
Name Nom	Stephanie Pieri	Title Titre	Labour Relations Officer; Labour Relations Operations and HR Redress Division
Name Nom	Stephanie Vance	Title Titre	Senior Program Advisor; Traveler Operations Division

Synopsis of the Complete Incident / Synopsis de l'incident complet

On June 16, 2014 at the Rainbow Bridge P.O.E Traffic Secondary Operations at approximately 2042 hours, a traveller by the name of [REDACTED] driving a [REDACTED] minivan bearing Maryland plates arrived at the primary inspection booth #9. BSO [REDACTED] was working that booth and greeted the driver.

[REDACTED] presented a United States passport and declared that he was travelling alone and coming to Canada for one night to sightsee.

observed

underneath it. While trying to move the blanket it felt as if it was caught on something. BSO [REDACTED] pulled the blanket with a little more force to remove it, and at that time noticed that a person was concealed wrapped within the blanket. BSO [REDACTED] gave loud verbal commands to the concealed person to exit the vehicle.

Adherence to the Policy / Conformité aux politiques

The Committee finds that:

Based on the BSO's narratives and legal justification considered in conjunction with the review made by a Use of Force Trainer and this Committee, the actions of BSO's

and CBSA Officer or drawing their duty firearms to the low ready as a tactical consideration and/or pointing of their duty firearms at the subject were reasonable for the situation and in-line with the CBSA Use of Force Policy and the CBSA Arming Training Program.

Overall, participants reported a positive experience with the self-learning training program.

This incident unfolded incredibly quickly; from a routine secondary exam to a situation involving the potential of Grievous Bodily Harm or Death. The examining BSO's were quick to recognize the severity of the situation unfolding; tactical repositioning.

creating time and distance, radioing for back-up and withdrawing a response option were all completed within seconds from when the subject escalated the situation. The BSO's used good tactics and judgment when pursuing the subject, there is evidence the BSO's took into account the dynamics of the location; they were concerned of their fellow BSO's locations, and the background beyond the subject when choosing to point their duty firearms and/or going to the low ready.

The Use of Force Incident Review Committee recommends that:

As a result of dealing with a high risk subject hiding in a vehicle with low risk tactics, BSO should review DFC lesson 16 on HRVE paying particular attention to positioning and the use of cover and safe tactical intervention strategies to offer better and more safe options to deal with a high risk subject whom refuses to exit a vehicle.

The BSO and Management staff at the Rainbow Bridge POE can use this incident as a positive learning event to fine tune POE responses in the likely hood a similar event occurs again. A critical examination of how the event unfolded could be beneficial, focusing on aspects such as; reaction times, scene securing, contacting EMS and police, tactical considerations, officer contact \cover roles, cover and concealment, etc.

Signature & Date

David HARRIS

Signature

2014/08/01

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2014/07/07		
Location of Incident / Lieu de l'incident			
Southern Ontario, Rainbow Bridge - Traffic, Rainbow Bridge secondary yard			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	, Badge Number / N° d'insigne		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: Brannagan, Melissa, Badge Number / N° d'insigne: 13582			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2014/09/10	2014/09/10		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Danny YEN	Title Titre	Manager, Training & Learning, Southern Ontario Campus
Synopsis of the Complete Incident / Synopsis de l'incident complet			
The incident occurred on July 7, 2014 in the secondary area of Rainbow Bridge in Niagara Falls, ON at approximately 1105.			
At approximately 816, BSO and BSO received a radio transmission from BSC regarding a vehicle that was about to be referred to the secondary area for examination. BSO placed a call to BSO on the line for additional information. BSO conveyed the information that the driver of the vehicle presented an identification for a person born in 1944, whereas he observed the driver to be between the ages of 18-20. BSO attended the line to retrieve the identification and BSO greeted the vehicle.			

Adherence to the Policy / Conformité aux politiques

Officers use of force were in accordance with CBSA policy

Overall Comments and Recommendations / Commentaires globaux et recommandations

BSO [REDACTED] is recommended to review report writing and articulation modules within the new IMIM online training. Within IMRS, there are helpful links to guide the officer in providing detailed information as it pertains to the moment that force was used. Though he provided a very detailed report, there was very limited information provided surrounding the application of force and the grounds for removal.

All officers should review Division 6 - Detention and Release - of the Immigration and Refugee Protection Act in order to familiarize themselves with arrest and detentions without a warrant.

Signature & Date

Danny YEN

2014/09/10

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident	
	2014/10/01	
Location of Incident / Lieu de l'incident		
Southern Ontario, Rainbow Bridge - Traffic, Rainbow Bridge - Cell area		
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)		
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne:	
Witnesses (if any) / Témoin(s) (si applicable)		
BSO	(assisted with personal search and present in cell area)	
Technical Review Completed by / Revue technique effectuée par		
Name / Nom: Campbell, Ryan, Badge Number / N° d'insigne: 13921		
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu	
2014/10/22	2014/10/22	
Management Review Completed by / Révision par la gestion complétée par		
Name Nom	Title Titre	Manager, Training & Learning, Southern Ontario Campus
Danny YEN		
Synopsis of the Complete Incident / Synopsis de l'incident complet		
On October 1, 2014 at approximately 21:06 a was referred to the secondary examination area at the Rainbow Bridge in Niagara Falls, ON. The vehicle was occupied by two female residents of the United States.		
During an examination of the vehicle BSC and BSO uncovered a yellow powder wrapped in tin foil in the spare tire compartment in the trunk of the vehicle. BSO conducted a Narcotics Identification Kit (NIK) test on the substance. It was positive for the presence of amphetamines. When asked what the substance was, the eldest occupant of the vehicle, stated the powder was used to "keep snakes away, you just sprinkle it on flowers." A pocket search of the occupants was performed. The pocket search was non resultant. BSO formulated grounds for a personal search of the occupants of the vehicle.		

Conformance to the Policy / Conformité aux politiques

Officers actions were in accordance CBSA Policy

Overall Comments and Recommendations / Commentaires globaux et recommandations

I do not have any training recommendations for BSO _____ and Acting Superintendent _____ at this time.

Signature & Date

Danny YEN

2014/10/22

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/10/05
Location of Incident / Lieu de l'incident	
Southern Ontario, Rainbow Bridge - Traffic, Rainbow Bridge	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	, Badge Number / N° d'insigne
Witnesses (if any) / Témoin(s) (si applicable)	
Name / Nom:	Badge Number / N° d'insigne
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Brannagan, Melissa, Badge Number / N° d'insigne: 13582	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/12/30	2014/12/31
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Jeff BEAN	Title Titre Acting Manager - Southern Ontario Campus - CBSA College
Synopsis of the Complete Incident / Synopsis de l'incident complet	
On October 5, 2014 at Rainbow Bridge at approximately 1915 hours, a traveller by the name of was being processed at the immigration counter by BSO's customs counter a close distance to the immigration counter. BSO overheard shouting from the immigration counter and saw the subject walking away from the two officers. He immediately intercepted the subject near the exit doors and access area to the superintendents office.	

Adherence to the Policy / Conformité aux politiques

No concerns.

Overall Comments and Recommendations / Commentaires globaux et recommandations

No training recommendations are made in this situation.

Signature & Date

Jeff BEAN

Signature

2014/12/31

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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Incident No. / N° de l'incident	Date of Incident / Date de l'incident	
	2015/03/14	
Location of Incident / Lieu de l'incident		
Southern Ontario, Rainbow Bridge - Traffic, Rainbow Bridge- Secondary Interview Rm A		
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)		
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne:	
Witnesses (if any) / Témoins (si applicable)		
Technical Review Completed by / Revue technique effectuée par		
Name / Nom: Campbell, Ryan, Badge Number / N° d'insigne: 13921		
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu	
2015/07/30	2015/07/30	
Management Review Completed by / Révision par la gestion complétée par		
Name Nom	Melissa BRANNAGAN	Title Titre
A/ Manager of Training Delivery		
Synopsis of the Complete Incident / Synopsis de l'incident complet		
At 18:50 BSO conducted a secondary selective examination for drugs on a referral from Primary line 6.		
Two subjects entered the exam area, immediately exited the vehicle and started walking in opposite directions. BSO requested they remain in the vehicle and move the vehicle to a spot in front of the CBSA building. BSO had difficulty containing the two subjects as they continued to make attempts to exit the vehicle after moving their car.		
BSO noted that during the exam the two subjects were very aggressive and agitated at the fact that they were being examined.		

Conformance to the Policy / Conformité aux politiques

After reviewing the submitted reports and all information received regarding the above report, it has been determined that the force used by the officers involved was in line with all Use of Force Policy. The force used was both reasonable and necessary in order to control the subject.

Overall Comments and Recommendations / Commentaires globaux et recommandations

none

Signature & Date

Melissa BRANNAGAN

Signature

2015/07/30

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/07/01
Location of Incident / Lieu de l'incident	
Southern Ontario, Rainbow Bridge - Traffic, NRPS District 1, St. Catharines, ON	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Jami MOORE, Badge Number / N° d'insigne: 16948	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2016/05/31	2016/05/31
Management Review Completed by / Révision par la gestion complétée par	
Name Nom David Harris	Title Titre Manager : Use of Force Policy Unit, Arming Division
Name Nom Jami Moore	Title Titre UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division
Name Nom Kerry Tierney	Title Titre Senior Program Advisor : Use of Force Policy Unit, Arming Division
Synopsis of the Complete Incident / Synopsis de l'incident complet	
On July 1st 2015, were referred to pay duty and taxes in addition for a secondary examination. As BSOs vere dealing with they noted that he exhibited several signs of impairment. During a closer interview, the odor of an alcoholic beverage was detected on breath. At around 22:40 hours, the approved screening device was administered and resulted in being arrested for impaired driving.	

Adherence to the Policy / Conformité aux politiques

The use of soft empty hand techniques by BSOs and to address the resistance displayed by the subject is considered reasonable and supported by CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no training recommendations resulted from this incident.

Signature & Date

David HARRIS

Signature

2016/05/31

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2015/08/28		
Location of Incident / Lieu de l'incident			
Southern Ontario, Rainbow Bridge - Traffic, Hospital Niagara Falls, ON			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé		Date Management Review Concluded / Date que la révision par la gestion a conclu	
2016/01/26		2016/01/26	
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Nigel SUAREZ	Title Titre	(Acting) Manager : Use of Force Policy Unit, Arming Division
Name Nom	Kerry Tierney	Title Titre	Senior program Officer: Use of Force Policy Unit, Arming Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
At approximately 08:20hrs on August 28th 2015, BSO's were instructed to attend to the local hospital to relieve an inland Enforcement Officer (IEO) and to supervise a detained refugee claimant while he was undergoing medical examination and psychiatric evaluation.			
The IEO stated that during the previous shift when the doctor was providing medical assistance, the subject became verbally abusive to the doctor and appeared as though he was going to become combative. BSOs used verbal communication resolved the behavior.			

Adherence to the Policy / Conformité aux politiques

The soft empty hand techniques used by BSO in response to the assaultive behavior displayed by the subject is considered appropriate, proportional and supported by CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no training recommendations resulting from this incident.

Signature & Date

Nigel SUAREZ

2016/01/26

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2015/10/29		
Location of Incident / Lieu de l'incident			
Southern Ontario, Rainbow Bridge - Traffic, Rainbow Bridge			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2017/05/15	2017/05/24		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager : Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor/ Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On October 29st 2015 at approximately 15:44hrs, BSO Rainbow Bridge when he encountered a the vehicle;		was working secondary a the with Ohio temporary License plates with one occupant in	

Adherence to the Policy / Conformité aux politiques

Both officers quickly recognized that the subject in this incident was attempting to flee in his vehicle and appropriately assessed the risk as posing significant threat to officers and the public. The tactics that the officers used of moving toward the vehicle, trying to open the door and remaining beside the moving vehicle are considered to have placed them at risk and therefore contrary to the Incident Management Intervention Model. The decision by BSO [REDACTED] to use his defensive baton to attempt to break the window of the fleeing vehicle in order to take physical control of the subject is deemed to be dangerous from an officer safety standpoint and outside CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

It is recommended that BSC [REDACTED] and BSO [REDACTED] conduct a debrief with a use of force instructor in order address the issue officer safety and the threat posed by subjects who still have the ability to immediately drive their vehicles.

Signature & Date

David HARRIS

2017/05/24

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2015/11/14		
Location of Incident / Lieu de l'incident			
Southern Ontario, Rainbow Bridge - Traffic, Rainbow Bridge			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: Jami MOORE, Badge Number / N° d'insigne: 16948			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2016/02/29	2016/02/29		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Nigel SUAREZ	Title Titre	A/Manager : Use of Force Policy Unit, Arming Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer : Use of Force Policy Unit, Arming Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On November 14th, 2015 BSOs were working secondary at Rainbow Bridge. ... plated NY was referred from primary by BSO There was one sole occupant who later became known to officers as: ...			

Adherence to the Policy / Conformité aux politiques

The soft empty hand techniques used by BSOs to mitigate the active resistance displayed by the subject was proportional and supported by CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

Although not specifically listed, officers should also be reminded that when arresting/detaining foreign nationals, in addition to affording them their Charter rights, they must be afforded their rights under the terms of the Vienna Convention Article 36.

Signature & Date

Nigel SUAREZ

2016/02/29

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

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Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2016/01/07		
Location of Incident / Lieu de l'incident			
Southern Ontario, Rainbow Bridge - Traffic, Rainbow Bridge			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoin(s) (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2017/05/04	2017/05/24		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager : Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor:/Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
<p>At 13:50hrs on January 7th 2016 BSO was working at the Rainbow Bridge when he observed the subject out on the walkway looking towards the office. The subject then turned around and started walking back to the US. A few minutes later, BSO observed the same person walking down the bus lane Canada bound. The subject then exited the bus lane and started walking on the sidewalk heading towards the currency exchange kiosk still Canada bound and therefore evading CBSA clearance.</p>			

Act, read him his rights and cautioned him.

BSO brought the cruiser to their location. The subject was transported back to Rainbow Bridge office and placed in cell #319.

Use of Force and Tactical Considerations / Recours à la force et considérations tactiques

N/A

Technical Soundness / Validité technique

N/A

Adherence to the Policy / Conformité aux politiques

N/A

Overall Comments and Recommendations / Commentaires globaux et recommandations

From the reports provided by the officers involved in this incident, it appears that the subject was cooperatively handcuffed. No reports indicate any use of defensive tools or physical techniques on the subject or the requirement for such. Since cooperative handcuffing falls outside the CBSA reporting requirements and no other mitigating factors have been raised, this report is considered closed.

Signature & Date

David HARRIS

2017/05/24

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2013/04/05		
Location of Incident / Lieu de l'incident			
Southern Ontario, Queenston Bridge - Traffic, CBSA office			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoin(s) (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: Jared ROSS, Badge Number / N° d'insigne: 13689			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2013/07/12	2013/09/18		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Nigel SUAREZ	Title Titre	Senior Advisor, Use of Force Policy Unit
Name Nom	David Harris	Title Titre	Manager: Use of Force Policy Unit
Name Nom	Vickie McCambley	Title Titre	Senior Learning Specialist: UoF Enf and Design
Name Nom	Caroline Joly	Title Titre	Manager: UoF Instr Recruitment and Development
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor: Use of Force Policy Unit
Synopsis of the Complete Incident / Synopsis de l'incident complet			
A lone male traveller was referred for secondary examination without any apparent declaration of and controlled or restricted goods. Border Services Officers began a secondary examination of the vehicle and directed the subject to the immigration counter for an immigration exam.			
At 08:32 Officers discovered in the vehicle along with shotgun, rifle and pistol ammunition, two non-declared restricted pistols that were hidden underneath the rear seat. Officers also noted that the subject was carrying a pocket knife clipped to his pants pocket.			

Adherence to the Policy / Conformité aux politiques

Based on the risk assessment considered in conjunction with the review made by a Use of Force Trainer the Committee finds the Officers did not adequately justify the drawing of their duty firearms nor convince the committee of the urgency of the threat to require their duty firearms drawn. By using:

- only the 'one plus one' principal;
- in one case, no articulation to justify drawing their duty pistols to the low ready; and
- the fact that up to 13 minutes elapsed from the time the weapons were discovered to the drawing.

indicates to the committee that the response that was chosen was not needed in this incident and therefore choosing to draw their duty firearms was unreasonable and not in-line with the CBSA Use of Force policy and the Arming training program.

Overall Comments and Recommendations / Commentaires globaux et recommandations

It is recommended that all the Officers review the guidelines on use of force reporting to ensure better articulation and reference to the IMIM as to what the category of resistance or the subject was, threat cues observed, and that there was a suspicion versus belief of the threat of DGBH are included in future reports.

The Officers articulated that they suspected the possibility of death or grievous bodily harm, however they offered little in respect to why, other than the 'one plus one' principle in that when you find one weapon that there may be another. This alone cannot be the grounds to draw ones pistol, there are many other grounds that are implied in this case but never articulated. Officers need to articulate the totality of the situation, including the behaviors of the subjects, threat cues, situational factors, your (officer) perceptions, and environmental factors, among others.

There also needs to be demonstrated a sense of urgency to control a possibly armed and dangerous subject whom there is a suspicion of DGBH. By reading the narratives the Committee comes to the conclusion that at least 10 minutes elapsed between the time of discovering the firearms until the officers drew and secured the subject. If this was not the case, and things occurred spontaneous and quickly it is neither reflected nor evident in the narratives. To demonstrate that there was urgency to secure the subject whom was out of sight in the immigration office (and possibly a threat to fellow officers inside, unaware of what was transpiring outside), officers need to articulate that the danger was imminent to justifying drawing their duty firearms

Signature & Date

Nigel SUAREZ

2013/09/18

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

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Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2015/07/05		
Location of Incident / Lieu de l'incident			
Southern Ontario, Sarnia, Blue Water Bridge - Traffic, SECONDARY EXAMINATION			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoin(s) (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2017/05/16	2017/05/19		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager, Defensive Tactics Program Division
Name Nom	Trevor Berg	Title Titre	Use of Force Instructor, Senior Program Officer, Defensive Tactics Program Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer, Defensive Tactics Program Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
In addition to the Officers report completed in IMRS, the ICES seizure narrative of BSO		was also utilized to complete this use of force incident review.	
At the Blue Water Bridge POE in Sarnia ON, on July 5th 2015 at 1427 hours, A		with Florida	
plates was referred to secondary as a selective examination for undeclared firearms.			
that it was a holster with a small semi-automatic pistol inside.		BSO	observed

Adherence to the Policy / Conformité aux politiques

Policy adherence was not evident due to one or both reasons noted below:

- Consideration is required when determining use of force options. The IMRS officers report references traveler was cooperative, no reference to other risk to officer

BSO did not adequately justify in his IMRS report (nor his ICES report) the necessity of drawing of his duty firearm nor provide sufficient supporting information of the urgency of the threat to require his duty firearm to be drawn.

Overall Comments and Recommendations / Commentaires globaux et recommandations

BSO is reminded that a fulsome legal articulation as to why he felt it was necessary to draw his duty firearm is required. It is recommended that he review the report writing guidelines posted on Atlas

to ensure better articulation and reference to the IMIM as to what the category of resistance of the subject was, threat cues observed, and that there was a suspicion versus belief of the threat of DGBH are included in future reports.

The port management is reminded that all witness Officers to an incident are required to also submit a narrative as to what they saw transpire as per paragraph 3.0.3 of the CBSA Standard Operating Procedures on Use of Force and Reporting.

Officers should be reminded that when arresting/detaining foreign nationals, in addition to affording them their Charter rights, they must be afforded their rights under the terms of the Vienna Convention Article 36.

Signature & Date

David HARRIS

2017/05/19

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2013/08/31		
Location of Incident / Lieu de l'incident			
Southern Ontario, Queenston Bridge - Traffic, Queenston Bridge, NOTL, Ontario			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoin(s) (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: Murrell, Dan, Badge Number / N° d'insigne: 14043			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2013/09/24	2013/09/30		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Traci MULLANE	Title Titre	a/Manager Training & Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet			
Client agitated and loud during examination. Officers warned that behaviour which was loud and vulgar would not be tolerated in front of other members of the public. Officers arrested client. Client did not respond positively to arrest instructions and officers had to use some physical maneuvering of her arms in order to get the handcuffs on.			
Adherence to the Policy / Conformité aux politiques			
The officer's actions were in line with current policy.			

Overall Comments and Recommendations / Commentaires globaux et recommandations

None

Signature & Date

Traci MULLANE

2013/09/30

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2013/11/22
Location of Incident / Lieu de l'incident	
Southern Ontario, Queenston Bridge - Traffic, Queenston Traffic Operations	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	, Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Ryan CAMPBELL, Badge Number / N° d'insigne: 13921	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/02/10	2014/02/10
Management Review Completed by / Révision par la gestion complétée par	
Name Nom	Title Titre
Danny YEN	Manager, Training & Learning, SO Campus
Synopsis of the Complete Incident / Synopsis de l'incident complet	
<p>was arrested by force for hindering a peace officer (BSO). secondary officers when it was requested of him. BSO's explained to goods and phone under the customs act, as well as the offence of hindering. involved the opportunity to view his cell phone and its contents. poking him in the chest. was told to back away and was told not to touch any of the officers. The BSOs involved placed under arrest for hindering at this point, as he continued to refuse their commands to produce his cell phone for inspection.</p>	
<p>refused to provide his cell phone to the powers and authorities to search his continued to deny the BSOs made physical contact with a BSO by way of was told to back away and was told not to touch any of the officers. The BSOs involved placed under arrest for hindering at this point, as he continued to refuse their commands to produce his cell phone for inspection.</p>	

Adherence to the Policy / Conformité aux politiques

Officers actions were in accordance with CBSA Use of Force policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

Recommend BSOs agitated, give more explanation of movements, verbals used, tone, volume and pitch of voice) Review subject behaviours/category of resistance definitions to clearly identify between resistant/active resistant combative/ assaultive	expand on behaviours being exhibited by subject (he was
Signature & Date	
Danny YEN <hr/> Signature	2014/02/10 <hr/> Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Canada Border Services Agency

Agence des services frontaliers du Canada

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Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident																																				
	2014/01/16																																				
Location of Incident / Lieu de l'incident																																					
Southern Ontario, Queenston Bridge - Traffic, Queenston Bridge Traffic-secondary inspection																																					
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)																																					
Name / Nom:	Badge Number / N° d'insigne:																																				
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Witnesses (if any) / Témoins (si applicable)																																					
Name / Nom:	Badge Number / N° d'insigne:																																				
Technical Review Completed by / Revue technique effectuée par																																					
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712																																					
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu																																				
2014/05/01	2014/05/01																																				
Management Review Completed by / Révision par la gestion complétée par																																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Name Nom</td> <td>David HARRIS</td> <td>Title Titre</td> <td>Manager-UoF Policy Unit, Arming Divison</td> </tr> <tr> <td>Name Nom</td> <td>Nigel Suarez</td> <td>Title Titre</td> <td>Senior Program Advisor-UoF Policy Unit, Arming</td> </tr> <tr> <td>Name Nom</td> <td>Vickie McCambley</td> <td>Title Titre</td> <td>Team Leader-UoF Development and Design</td> </tr> <tr> <td>Name Nom</td> <td>Caroline Joly</td> <td>Title Titre</td> <td>A/Manager-UoF Instructor Recruitment & Development</td> </tr> <tr> <td>Name Nom</td> <td>Trevor Berg</td> <td>Title Titre</td> <td>UOF/Firearms Instructor-UoF Policy Unit, Arming</td> </tr> <tr> <td>Name Nom</td> <td>Kerry Tierney</td> <td>Title Titre</td> <td>Senior Program Advisor-UoF Development</td> </tr> <tr> <td>Name Nom</td> <td>Zrinka Barisic</td> <td>Title Titre</td> <td>A/Sr Program Advisor-Investigations, Enforcement</td> </tr> <tr> <td>Name Nom</td> <td>Tracy Burtt</td> <td>Title Titre</td> <td>A/Manager-Investigations, Enforcement and Intel</td> </tr> <tr> <td>Name Nom</td> <td>Carolyn Pawluk</td> <td>Title Titre</td> <td>Senior Program Advisor-UoF Policy Unit, Arming</td> </tr> </table>		Name Nom	David HARRIS	Title Titre	Manager-UoF Policy Unit, Arming Divison	Name Nom	Nigel Suarez	Title Titre	Senior Program Advisor-UoF Policy Unit, Arming	Name Nom	Vickie McCambley	Title Titre	Team Leader-UoF Development and Design	Name Nom	Caroline Joly	Title Titre	A/Manager-UoF Instructor Recruitment & Development	Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor-UoF Policy Unit, Arming	Name Nom	Kerry Tierney	Title Titre	Senior Program Advisor-UoF Development	Name Nom	Zrinka Barisic	Title Titre	A/Sr Program Advisor-Investigations, Enforcement	Name Nom	Tracy Burtt	Title Titre	A/Manager-Investigations, Enforcement and Intel	Name Nom	Carolyn Pawluk	Title Titre	Senior Program Advisor-UoF Policy Unit, Arming
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Synopsis of the Complete Incident / Synopsis de l'incident complet																																					
The Incident took place on 16 January 2014 at the Secondary Examination area of the Queenston Bridge Traffic Operations, in Niagara on the Lake, Ontario. This review was conducted by reviewing the Officers' narratives, CCTV footage of the encounter and with the ICES seizure report.																																					

Adherence to the Policy / Conformité aux politiques

The Committee finds that:

Based on the risk assessment considered in conjunction with the review made by a Use of Force Trainer and this Committee, the actions of BSO's in drawing their duty firearms to the low ready as a tactical consideration was justified and in line with the Arming Training Program and CBSA Use of Force policy.

It is the Committee's assessment that BSO also had the grounds and therefore his decision to draw his duty firearm in the situation was tactically sound within the context of the Arming Training Program; however the action of BSO in pointing his duty firearm at the subject was not adequately justified as necessary under paragraph 8.12 of the CBSA Directive on Use of Force and Reporting due to the inconsistencies between his report and the video of the incident as described in this

report.

Overall Comments and Recommendations / Commentaires globaux et recommandations

It is recommended that:

BSO should review lesson 16, High Risk Vehicle Extractions for reference to the proper and safe placement of officers prior to and during a vehicle trunk clearing.

BSO should debrief with a current CDT/Firearms instructor to discuss the components of a thorough risk assessment and the components of an appropriate articulation. A review of Lesson 8 "Review of the IMIM" and a review of the "Guidelines for completing the BSF586 Use of Force Incident Report Narrative"

would also be beneficial in clarifying the components of a proper risk assessment and legal articulation

Signature & Date

David HARRIS

2014/05/01

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

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Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/02/12
Location of Incident / Lieu de l'incident	
Southern Ontario, Queenston Bridge - Traffic, Queenston Traffic Operations - Hallway	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Name / Nom:	Badge Number / N° d'insigne:
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Ross, Jared, Badge Number / N° d'insigne: 13689	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/03/12	2014/03/12
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Danny YEN	Title Titre Manager, CBSA College - Southern Ontario Campus
Synopsis of the Complete Incident / Synopsis de l'incident complet	
While arresting and detaining a subject during an immigration proceeding, the officer involved perceived that the subject was attempting to evade control shortly after handcuffs were applied behind his back from a standing position.	
Adherence to the Policy / Conformité aux politiques	
Officers actions were in accordance with CBSA Use of Force Policy.	

Overall Comments and Recommendations / Commentaires globaux et recommandations

As with the introduction of the newest version of the Incident Management Intervention Model (IMIM) , Officers are encouraged to write and articulate with minimal "model speak" and "officer jargon" and to use as much plain language as possible. Some of the reports submitted included language from both the current and prior versions of the IMIM. Officers are encouraged in the future to "tell the story" more so and to refrain from the terms on the model to describe their actions.

Signature & Date

Danny YEN

2014/03/12

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2014/03/11		
Location of Incident / Lieu de l'incident			
Southern Ontario, Queenston Bridge - Traffic, Queenston Bridge Traffic Secondary Operations			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Name / Nom:	Badge Number / N° d'insigne:		
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2014/05/29	2014/07/16		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager, Arming Use of Force Policy Unit
Name Nom	Caroline Joly	Title Titre	Manager, UoF Instr, Recruitment, & Dev Unit
Name Nom	Kerry Tierney	Title Titre	Progam Advisor,UoF &Enforcement Program
Name Nom	Trevor Berg	Title Titre	UoF/Firearms Instructor, UoF Policy Unit
Name Nom	Zrinka Barisic	Title Titre	Prog Adv. Investigations, Enforcement,Intel.
Name Nom	Tracy Burtt	Title Titre	Manager, Investigations, Enforcement,Intel.
Name Nom	Carolyn Pawluk	Title Titre	Program Advisor, Arming UoF Policy Unit
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On March 11, 2014 at the Queenston Bridge Traffic Secondary Operations at approximately 1613 hours, a traveller by the name of [REDACTED] was a positive name match in IPIL for a FOSS file for having a previous immigration action. The traveller [REDACTED] was subsequently referred by the Primary BSO to secondary exam as a mandatory referral.			

The Committee finds that:

Based on the risk assessment considered in conjunction with the review made by a Use of Force Trainer and this Committee, the actions of BSO's of drawing their duty firearms to the low ready as a tactical consideration was reasonable and in-line with the CBSA Use of Force Policy and the CBSA Arming Training Program.

Overall Comments and Recommendations / Commentaires globaux et recommandations

BSO and the other BSO's involved could use this incident as a learning opportunity and conduct a walk through at the scene of this incident, paying particular attention to effective points of cover that could be utilized, safe arcs of fire\clear backgrounds, and discuss contingency plans for other possible situational factors that could occur.

BSO's are to be reminded that the concepts of AIM and suspect vs. believe are the previous method to articulate the use of force. Under the new IMIM, articulation of one's actions should incorporate one's own perceptions of the totality of the situation that takes into account the situation factors, the subjects' behaviour, the tactical considerations and the officer responses. If further clarification is needed please review the online IMIM course available through the learning portal.

Signature & Date

David HARRIS

2014/07/16

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/04/02
Location of Incident / Lieu de l'incident	
Southern Ontario, Queenston Bridge - Traffic, Queenston Bridge Traffic	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoin(s) (si applicable)	
Name / Nom:	Badge Number / N° d'insigne:
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Ross, Jared, Badge Number / N° d'insigne: 13689	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/07/26	2014/07/26
Management Review Completed by / Révision par la gestion complétée par	
Name Nom	Danny YEN
Title Titre	Manager, Training & Learning, SO Campus
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Two travelers who had been away for the day declared \$300 in purchases to the primary officer. There was a male subject driving and a female passenger. Both travelers were near 30 years old. Upon notification of being selected to pay taxes on their purchases, the male subject became visibly upset by raising his voice and shouting profanities at the primary officer. They then were directed to the secondary office to make payment.	
Once they had completed the payment on declared goods, they were subject to a verification of the amount declared by a male and female officer. Officers Discovered during the search was approximately \$30 in goods that were not declared and the officers then proceeded to conduct a pocket contents search on the male traveler. After the search was conducted, the male traveler was instructed to pay on the remaining undeclared taxes by officer	
The male subject then became increasingly angry.	

restraining the subject by grasping his arm and they then placed handcuffs on the subject from a standing position. The subject continued to pull away and evade control so the officers then placed him to the ground without incident. He was then searched without result and placed in a cell for a short time.

Adherence to the Policy / Conformité aux politiques

Officers use of force was in accordance with CBSA policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

Officers are encouraged to read the above assessment. No further training required at this time.

Signature & Date

Danny YEN

2014/07/26

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

Canada Border
Services AgencyAgence des services
frontaliers du CanadaPROTECTED
PROTÉGÉB when completed
une fois rempli

Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

It is the Policy of the CBSA to collect information on the details of any use of force incident. This will provide the CBSA with information on the types and frequency of these incidents. It will also enable the CBSA to make important decisions regarding the safety and security of staff and ongoing training needs. The information collected on this form is protected and may be disclosed to internal or external bodies as consistent use, or pursuant to other provisions listed under section 8(2) of the Privacy Act <http://laws-lois.justice.gc.ca/eng/acts/P-21/index.html>. The information is held in CBSA Bank PIB PPU 012. Further explanations about the information contained in the Bank may be found in the Info Source guide located in public libraries, or online at <http://www.infosource.gc.ca>.

L'ASFC a pour politique de recueillir de l'information sur les détails de tout incident relatif au recours à la force. Cette pratique permettra à l'ASFC de rassembler des informations sur les types et la fréquence des incidents. Elle permettra également à l'ASFC de prendre des décisions importantes en matière de sécurité et de protection en lien avec le personnel et les besoins de la formation continue. L'information recueillie dans ce formulaire est protégée et peut être communiquée à des organismes internes ou externes selon un usage compatible ou en vertu d'autres dispositions énoncées au paragraphe 8(2) de la Loi sur la protection des renseignements personnels <http://laws-lois.justice.gc.ca/ra/lois/P-21/index.html>. L'information est conservée dans un fichier de l'ASFC PIB PPU 012. Des explications complémentaires sur l'information conservée dans ce fichier figurent dans le guide Info Source, disponible dans les bibliothèques, ou dans le site Internet d'Info Source <http://www.infosource.gc.ca>.

Incident No. / N° de l'incident	Date of Incident / Date de l'incident																												
	2014/05/16																												
Location of Incident / Lieu de l'incident																													
Southern Ontario, Queenston Bridge - Traffic, Queenston Bridge general counter area																													
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)																													
Name / Nom:	Badge Number / N° d'insigne:																												
Name / Nom:	, Badge Number / N° d'insigne:																												
Name / Nom:	Badge Number / N° d'insigne:																												
Name / Nom:	Badge Number / N° d'insigne:																												
Witnesses (if any) / Témoins (si applicable)																													
N/A																													
Technical Review Completed by / Revue technique effectuée par																													
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712																													
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu																												
2014/10/06	2014/10/30																												
Management Review Completed by / Révision par la gestion complétée par																													
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Name Nom</td> <td>Nigel Suarez</td> <td>Title Titre</td> <td>A/Manager: Use of Force Policy Unit, Arming Division</td> </tr> <tr> <td>Name Nom</td> <td>Steve Durocher</td> <td>Title Titre</td> <td>Manager , Officer Induction and Enforcement Unit, Learning Design Solutions Division</td> </tr> <tr> <td>Name Nom</td> <td>Caroline Joly</td> <td>Title Titre</td> <td>A/Manager: Use of Force Instructor Recruitment and Development Unit, Arming Division</td> </tr> <tr> <td>Name Nom</td> <td>Zrinka Barisic</td> <td>Title Titre</td> <td>A/Senior Program Advisor; Investigations, Enforcement and Intelligence Programs Directorate</td> </tr> <tr> <td>Name Nom</td> <td>Sharon Spicer</td> <td>Title Titre</td> <td>Manager, Investigations Program Management, Enforcement and Intelligence Programs Directorate</td> </tr> <tr> <td>Name Nom</td> <td>Trevor Berg</td> <td>Title Titre</td> <td>UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division</td> </tr> <tr> <td>Name Nom</td> <td>Kerry Tierney</td> <td>Title Titre</td> <td>Senior Program Officer: Use of Force Policy Unit, Arming Division</td> </tr> </table>		Name Nom	Nigel Suarez	Title Titre	A/Manager: Use of Force Policy Unit, Arming Division	Name Nom	Steve Durocher	Title Titre	Manager , Officer Induction and Enforcement Unit, Learning Design Solutions Division	Name Nom	Caroline Joly	Title Titre	A/Manager: Use of Force Instructor Recruitment and Development Unit, Arming Division	Name Nom	Zrinka Barisic	Title Titre	A/Senior Program Advisor; Investigations, Enforcement and Intelligence Programs Directorate	Name Nom	Sharon Spicer	Title Titre	Manager, Investigations Program Management, Enforcement and Intelligence Programs Directorate	Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division	Name Nom	Kerry Tierney	Title Titre	Senior Program Officer: Use of Force Policy Unit, Arming Division
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Synopsis of the Complete Incident / Synopsis de l'incident complet																													
On May 16th, 2014 At approximately 01:25 at the Queenston - Lewiston bridge POE, a US plated arrived at the Primary Inspection Line (PIL). The vehicle contained four passengers: two men one female and a one year old child At PIL, they stated they took a wrong turn																													

and had no intentions to enter Canada, and as such did not have any identification to prove citizenship. The passengers were he did not want to speak to immigration as it was pointless.

The vehicle was referred to Secondary for immigration purposes.

During the secondary exam of the travelers vehicle at the same time the interview was being conducted, BSO _____ located an undeclared black revolver hidden on the driver's side.

Adherence to the Policy / Conformité aux politiques

The committee finds that the drawing of the duty firearm to the low ready was proportional, appropriate and in-line with CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

Committee recommendations:

As the subjects Charter rights were not immediately conveyed, BSO _____ should review legal requirements of the notification of arrest, more specifically that a notification of arrest should be made as soon as an officer makes this decision, and before applying handcuffs and/or going 'hands-on' unless exigent circumstances exist that would deem this requirement to be unsafe at that time.

Due to the deficiencies in articulation from those who drew their duty firearms, the BSO's who drew their duty firearms should be offered an opportunity to participate in a debrief with a Use of force and Firearms Instructor to include a review of the

components of a proper legal articulation that incorporates their perception of the totality of the situation, taking into account the subjects behaviour, officer perceptions, tactical considerations, and situational factors, with particular attention to why the "one plus one" principal does not automatically dictate one to draw their duty firearm.

Signature & Date

Nigel SUAREZ

Signature

2014/10/30

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

It is the Policy of the CBSA to collect information on the details of any use of force incident. This will provide the CBSA with information on the types and frequency of these incidents. It will also enable the CBSA to make important decisions regarding the safety and security of staff and ongoing training needs. The information collected on this form is protected and may be disclosed to internal or external bodies as consistent use, or pursuant to other provisions listed under section 8(2) of the Privacy Act <http://laws-lois.justice.gc.ca/eng/acts/P-21/index.html>. The information is held in CBSA Bank PIB PPU 012. Further explanations about the information contained in the Bank may be found in the Info Source guide located in public libraries, or online at <http://www.infosource.gc.ca>.

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2014/06/13		
Location of Incident / Lieu de l'incident			
Southern Ontario, Queenston Bridge - Traffic, QUEENSTON BRIDGE			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Name / Nom:	Badge Number / N° d'insigne:		
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2014/12/19	2015/02/23		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Dave Harris	Title Titre	Manager : Use of Force Policy Unit, Arming Division
Name Nom	Caroline Joly	Title Titre	A/Manager: Use of Force Instructor Recruitment and Development Unit, Arming Division
Name Nom	Zrinka Barisic	Title Titre	A/Senior Program Advisor; Investigations, Enforcement and Intelligence Programs Directorate
Name Nom	Julie Boileau-Bradette	Title Titre	Team Leader, OITP and Use of Force Unit, Learning Design Solutions Division
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Name Nom	Kerry Tierney	Title Titre	Senior Program Officer: Use of Force Policy Unit, Arming Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On June 13, 2014 at approximately 02:50 at the port of Queenston Bridge in the Southern Ontario Region, a New Hampshire plated with two occupants was referred for selective secondary examination and an Immigration exam. They were a wrong turn from the United States; they were headed to Michigan and followed their GPS, which unintentionally lead them to Canada. Only one traveller had a passport on them.			
The Primary Inspection Line Officer, BSO "are you importing any firearms or weapons?"	asked and received "no" responses to all of the mandatory questions including		

BSO began to search the vehicle. At approximately 02:56 BSO and Wesson firearm in a briefcase in the trunk area of the vehicle. found a loaded Smith

Adherence to the Policy / Conformité aux politiques

The committee finds that the drawing of the duty firearm by BSC [REDACTED] and BSO [REDACTED] to the low ready was proportional, appropriate and in-line with CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no specific training recommendations however BSO's [REDACTED] should be afforded an opportunity to read the above assessment and make the adjustments to their tactics and report writing as mentioned in the above section.

Signature & Date

Nigel SUAREZ

Signature

2015/02/23

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/07/10
Location of Incident / Lieu de l'incident	
Southern Ontario, Queenston Bridge - Traffic, Interview room #1	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Ross, Jared, Badge Number / N° d'insigne: 13689	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/08/19	2014/08/19
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Danny YEN	Title Titre Manager, Training & Learning, Southern Ontario Campus
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Subject was referred to the secondary processing building at the Queenston, Niagara Falls border crossing in order to pay applicable taxes on an item acquired in the USA as well as to have that declared value verified. Upon first encounter with at the counter area,	
Realizing that this may require a more in depth investigation, Border Services Officers (BSOs) asked the subject to come into a separate room out of the public view. As he was walking back to the room it was noted that he was punching or slapping his hands together, to again display his displeasure with the process.	

Adherence to the Policy / Conformité aux politiques

Officers actions were in accordance with CBSA Use of Force policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

The only area of concern of note in this instance would be the reporting put forward. With our recent transition to a new intervention training model, we have adopted as well new methods of reporting and articulation. Some officers have yet to participate in training modules with live scenarios in order to practice the new methods.

It is encouraged that officers, when completing use of force reports, try to stay away from law enforcement jargon and use of the terms on the training model in most circumstances. The use of plain language and telling "the story" carry much more emphasis in this forum. The cut and paste of ones statements or "will says" in most circumstances deviates from what we hope to achieve in use of force reporting. Telling what happened, the circumstances leading up to what happened as well as the situational factors and the officers perceptions of "what that means to me" are the focus of these reports.

There is no further technical or training related recommendations required at this point aside from those involved reading the comments above. Officers in this case did great work.

Signature & Date

Danny YEN

Signature

2014/08/19

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident																												
	2014/08/18																												
Location of Incident / Lieu de l'incident																													
Southern Ontario, Queenston Bridge - Traffic, Queenston Traffic																													
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)																													
Name / Nom: _____ Badge Number / N° d'insigne: Name / Nom: _____ Badge Number / N° d'insigne Name / Nom: _____ Badge Number / N° d'insigne																													
Witnesses (if any) / Témoins (si applicable)																													
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Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712																													
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Management Review Completed by / Révision par la gestion complétée par																													
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Synopsis of the Complete Incident / Synopsis de l'incident complet																													
On August 18, 2014 at approximately 1150hrs at the port of Queenston bridge in the Southern Ontario District Region the port alarm siren was activated by the Primary Inspection Line BSO following a traveller not reporting to Secondary exam as																													

instructed.

BSO [REDACTED] immediately looked outside and noticed a gold/tan colored [REDACTED] driving by on the opposite side of the barrier where traffic that has been released would drive. It was the only vehicle in the vicinity when the alarm sounded. BSO [REDACTED] and BSO [REDACTED] got into the CBSA port vehicle turned on full emergency lighting and began to drive towards the tolls as they believed that the gold/tan colored jeep was the vehicle for which the port alarm was being sounded.

BSO [REDACTED] reviewed the E67 referral card that had a line struck through the list of primary questions indicating that he had nothing to declare, including firearms or weapons.

BSO [REDACTED] opened the case and found a black handgun. The action was forward and there were 2 magazines inside the box. The handgun was flat black, hard plastic or composite and not locked by a cable. BSO [REDACTED] immediately recognized this as a genuine firearm.

Adherence to the Policy / Conformité aux politiques

The committee finds that the drawing of the duty firearm to the low ready by BSO appropriate and in-line with CBSA Use of Force Policy. was proportional,

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no training recommendations stemming from this incident.

Signature & Date

Nigel SUAREZ

Signature

2015/02/06

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2014/11/30		
Location of Incident / Lieu de l'incident			
Southern Ontario, Queenston Bridge - Traffic, Secondary Inspection			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
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Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2015/07/20	2015/07/20		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Nigel SUAREZ	Title Titre	A/Manager : Use of Force Policy Unit, Arming Division
Name Nom	Dave Harris	Title Titre	Manager : Use of Force Policy Unit, Arming Division
Name Nom	Caroline Joly	Title Titre	A/Manager: Use of Force Instructor Recruitment and Development Unit, Arming Division
Name Nom	Zrinka Barisic	Title Titre	A/Senior Program Advisor; Investigations, Enforcement and Intelligence Programs Directorate
Name Nom	Julie Boileau-Bradette	Title Titre	Team Leader, OITP and Use of Force Unit, Learning Design Solutions Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer: Use of Force Policy Unit, Arming Division
Name Nom	Jami Moore	Title Titre	UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			

On Sunday November 30, 2014, at 18:30 at the Queenston Bridge Port of Entry a vehicle arrived at Primary. The vehicle contained two Canadian travellers who were just refused entry into the U.S for previous criminal history. The vehicle was referred to secondary and the PIL officer (no report in IMRS) made a radio transmission stating that he referred a vehicle that had been refused entry into the United States, and that one of the occupants had issues before the courts and may be in breach of his conditions.

with Ontario plates

Based on the police information cautioning that the subject was Armed, Dangerous, Violent, an Escape Risk, surrounding the subjects refusal into the United States and having no advanced notice from the US authorities, The BSO's believed that the subject may have a firearm on or about his person or in the vehicle which he may be trying to get into Canada.

the irregularities

Adherence to the Policy / Conformité aux politiques

The committee finds that the drawing of the duty firearm to the low ready was proportional, appropriate and in-line with CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no training recommendations for this incident; however the officers involved are reminded that an arrest or detention is required (unless there is no time permitting) when ordering someone out of a vehicle.

The instructor notes for the DFC lesson on HRVE, states;

Signature & Date

Nigel SUAREZ

2015/07/20

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Canada Border Services Agency

Agence des services frontaliers du Canada

PROTECTED
PROTÉGÉ

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when completed
une fois rempli

Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

It is the Policy of the CBSA to collect information on the details of any use of force incident. This will provide the CBSA with information on the types and frequency of these incidents. It will also enable the CBSA to make important decisions regarding the safety and security of staff and ongoing training needs. The information collected on this form is protected and may be disclosed to internal or external bodies as consistent use, or pursuant to other provisions listed under section 8(2) of the Privacy Act <http://laws-lois.justice.gc.ca/eng/acts/P-21/index.html>. The information is held in CBSA Bank PIB PPU 012. Further explanations about the information contained in the Bank may be found in the Info Source guide located in public libraries, or online at <http://www.infosource.gc.ca>.

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2015/07/30		
Location of Incident / Lieu de l'incident			
Southern Ontario, Queenston Bridge - Traffic, Queenston Bridge Traffic Operation			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	, Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoin(s) (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2016/11/18	2017/05/23		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager, Defensive Tactics Program Division
Name Nom	Trevor Berg	Title Titre	Use of Force Trainer/ Senior Program Officer Defensive Tactics Program Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer Defensive Tactics Program Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
NOTE: The review of this incident was completed by BSI Jami Moore. Due to IMRS technical issues it was not able to be inputted under his profile.			
On July 30, 2015 at or about 21:15, a white was being driven by Primary questioning was completed and when an Officer Safety Caution attached.		with Ontario plates arrived at the Queenston Bridge POE. They he approached lane 7 where BSO was working. scanned the driver's license in IPIL, it was a name hit as to FOSS with	

BSO's cleared the vehicle after
61 grams of suspected cocaine was found in the vehicle.

was taken into custody. A vehicle examination followed and

Adherence to the Policy / Conformité aux politiques

The officers actions including the drawing of duty firearms to the low ready is considered reasonable and does fall in line with the CBSA use of force policy and training standards.

Overall Comments and Recommendations / Commentaires globaux et recommandations

Officers should be reminded, and include in their report that when arresting/detaining foreign nationals, in addition to affording them their Charter rights, they must be afforded their rights under the terms of the Vienna Convention Article 36.

Signature & Date

David HARRIS

2017/05/23

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2015/09/21		
Location of Incident / Lieu de l'incident			
Southern Ontario, Queenston Bridge - Traffic, QUEENSTON TRAFFIC SECONDARY			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	, Badge Number / N° d'insigne		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2016/04/22	2016/07/08		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager : Use of Force Policy Unit, Arming Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor: Senior Program Officer -Use of Force Policy Unit, Arming Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Advisor: Use of Force Policy Unit, Arming Division
Synopsis of the Complete Incident / Synopsis de l'incident complet		were involved	
On Monday September 21st, 2015 at approximately 13:13hrs, BSO _____ in the securing of two Canadian citizen subjects (male and female) in the secondary inspection area at the Queenston traffic operations bridge.			
Primary BSO	radioed that there was an armed and dangerous _____ with outstanding warrants for the passenger of the vehicle and also a plate hit for the _____ The vehicle was on its way to the secondary area and BSO _____ was giving directions to park at the far end of the parking area.	_____	

Adherence to the Policy / Conformité aux politiques

The drawing of the duty firearm to the low ready by BSOs as a GBHD threat is considered proportional, appropriate and in-line with CBSA Use of Force Policy. in response to what they perceived

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no training recommendations stemming from this incident.

Signature & Date

David HARRIS

Signature

2016/07/08

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2014/07/21		
Location of Incident / Lieu de l'incident			
Southern Ontario, Queenston Bridge - Commercial, Queenston Warehouse			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoin(s) (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: Ross, Jared, Badge Number / N° d'insigne: 13689			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2014/09/02	2014/09/10		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Danny YEN	Title Titre	Manager, Training & Learning, Southern Ontario Campus
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On July 21, 2014 in the early afternoon, a transport truck was referred for a secondary examination at the Quesnton bridge commercial operation in Niagara Falls, Ontario. The truck arrived at the dock area and parked. Border Services Officers (BSO's) went to greet the driver and examine the truck. BSO took the lead in addressing the subject.			
When asked to step from the truck with his hands in sight there was no response. When asked a third time a response of "You'll have to shoot me to get me out!" was heard. BSO moved to a safer spot on the truck and then shouted to the subject to come out and to show his hands. The subject then moved to the door area of the truck and his hands were then visible. BSO moved quickly to the subject and controlled his arms and moved him out of the truck.			
BSO placed handcuffs on the subject and detained him for further examination and suspicion of hindering, recited to him his rights and cautions and then BSO performed a search of the subject and walked him to a detention cell while the examination was completed.			

Adherence to the Policy / Conformité aux politiques

Officers use of force was in accordance with CBSA policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

None required.

Signature & Date

Danny YEN

2014/09/10

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2013/06/08
Location of Incident / Lieu de l'incident	
Southern Ontario, Niagara Falls VIA Passenger Rail, VIA RAIL	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Name / Nom:	Badge Number / N° d'insigne:
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Murrell, Dan, Badge Number / N° d'insigne: 14043	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2013/08/26	2013/08/26
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Traci MULLANE	Title Titre A/Manager Training & learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Incident occurred at VIA Rail train station which is located just beyond the Whirlpool Bridge port of entry.	
Synopsis of events (as described in Use of Force reports and Officer debrief)	
Officer [REDACTED] was working Immigration secondary. The subject [REDACTED] was referred to Immigration secondary by the primary BSO. The concern was that the subject appeared to have strong ties to Canada.	

Officer from officer placed the subject under arrest for hindering. (specifically in the request to return the passport she had grabbed and would not return)

Adherence to the Policy / Conformité aux politiques

yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

n/a

Signature & Date

Traci MULLANE

2013/08/26

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/06/03
Location of Incident / Lieu de l'incident	
Southern Ontario, Niagara Falls VIA Passenger Rail, VIA Rail passenger train	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne
Witnesses (if any) / Témoin(s) (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Jami MOORE, Badge Number / N° d'insigne: 16948	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/07/07	2015/07/07
Management Review Completed by / Révision par la gestion complétée par	
Name Nom	Title Titre
Nigel SUAREZ	(Acting) Manager : Use of Force Policy Unit, Arming
Synopsis of the Complete Incident / Synopsis de l'incident complet	
<p>Client sought entry to Canada by train in Niagara Falls. It was determined she was criminally inadmissible and was going to be returned to the US. When informed of this she started to pace, was holding her hands to her head and then attempted to leave the area stating she was taking her bags and leaving. According to the BSO's involved she appeared to be under the influence of a controlled substance and was behaving in an erratic manner.</p> <p>When she attempted to leave, BSO intercepeted her at the exit and took physical control of the client as he was not clear on her intention or destination. BSO assisted in the application of handcuffs and placed her under detention as the Immigration examination had not concluded until such time the officer verified the departure of the foreign national.</p> <p>She was turned over to CN security services officers to be transported back to the US as is local procedure.</p>	

Adherence to the Policy / Conformité aux politiques

The use of soft empty hand techniques by BSO was proportional, appropriate and in-line with CBSA Use of Force policy and directives.

Overall Comments and Recommendations / Commentaires globaux et recommandations

Officers should be reminded when arresting/detaining foreign nationals, in addition to affording them their Charter rights, they must be afforded their rights under the terms of the Vienna Convention Article 36. Both reports are silent on if and when the subject was afforded those rights.

No other training or other action is required as a result of this incident.

Signature & Date

Nigel SUAREZ

Signature

2015/07/07

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2013/02/12		
Location of Incident / Lieu de l'incident			
Southern Ontario, Sarnia, Blue Water Bridge - Traffic, Sarnia Bluewater Bridge Traffic Operation			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoin(s) (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: John JACQUES, Badge Number / N° d'insigne: 13017			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2013/04/30	2013/04/30		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager- UoF Policy Unit, Arming Division
Name Nom	Vickie McCambley	Title Titre	Advisor Training Design -T&D
Name Nom	Kerry Tierney	Title Titre	Senior Program Advisor- T&D
Name Nom	Trevor Berg	Title Titre	Sen Program Officer/Instructor-Arming Div.
Name Nom	Robin Wallden	Title Titre	Senior Program Advisor- Arming Div.
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On 2013/02/12 two United States citizens entered a primary line at the Sarnia Blue Water Bridge. The subjects indicated they did not intend to enter Canada. BSO began his primary questioning. BSO indicated that he detected the odour of burnt marijuana coming from the vehicle. The subjects initially were answering the questions, admitting to the presence of a small amount of marijuana.			
BSO asked the firearm and weapons primary question and he recognized that the subjects disengaged from the interview and start fumbling into their pockets and between the seats. the subject to show their hands, the subjects ignored his lawful commands.			
BSO drew his duty firearm to the low ready position for tactical considerations as he suspected the presence of Death and Grievous Bodily Harm.			

The subjects

were detained and a subsequent examination of the vehicle and subjects were conducted. A folding knife, a small amount of both marijuana and crack cocaine was seized.

Adherence to the Policy / Conformité aux politiques

BSO and BSO recognized

the response option chosen by the officers was appropriate and justified based on tactical considerations.

Overall Comments and Recommendations / Commentaires globaux et recommandations

In reference to the vehicle extraction and handcuffing, ideally officers would have waited until another officer could assist with the high risk vehicle extraction and then precede with using method 2 handcuffing techniques.

It is the committee's recommendation that BSO BSO and Superintendent review the lesson plan on high risk vehicle extractions with particular attention to high risk handcuffing method 2.

Signature & Date

David HARRIS

2013/04/30

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

Canada Border
Services AgencyAgence des services
frontaliers du CanadaPROTECTED
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Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2013/05/16
Location of Incident / Lieu de l'incident	
Southern Ontario, Sarnia, Blue Water Bridge - Traffic, Secondary Examination Area	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoin(s) (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Gregory BELL, Badge Number / N° d'insigne: 19846	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2013/08/27	2013/08/27
Management Review Completed by / Révision par la gestion complétée par	
Name Nom	Title Titre
Traci MULLANE	A/Manager Training & Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
<p>On May 16, 2013, a lone female traveler, who was enroute from Michigan to New York, was referred in for a selective exam. The traveler had no intentions of traveling through Canada and had been routed to Sarnia by Map Quest. During the exam by BSO _____ and BSO _____, the subject became nervous. BSO _____ found a glass jar containing a green leafy substance which he believed to be marijuana. He placed the subject under arrest and gave her directions to place her in a hand cuff position. The subject argued with BSO _____ and turned and took steps away from him. BSO _____ closed time and distance and place a handcuff on her right wrist. The subject turned toward BSO _____ and attempted to pull away. The subject began to kick at BSO _____ so BSO _____ controlled her ankles until she could be placed in handcuffs. Once the subject was secured, BSO _____ again told her she was under arrest and gave her her right to counsel and her caution. The subject was then frisked by a female officer and taken to cells. At that time BSO _____ read her the arrest statement, her right to counsel and her caution from his officer reference notebook. He also informed her of her rights under the Vienna Convention to contact her consulate.</p>	

Adherence to the Policy / Conformité aux politiques

The response options chosen were in line with use of force policy

Overall Comments and Recommendations / Commentaires globaux et recommandations

None

Signature & Date

Traci MULLANE

2013/08/27

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2013/06/07
Location of Incident / Lieu de l'incident	
Southern Ontario, Sarnia, Blue Water Bridge - Traffic, Sarnia On Traffic Secondary	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoin(s) (si applicable)	
Name / Nom:	Badge Number / N° d'insigne:
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Gregory BELL, Badge Number / N° d'insigne: 19846	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2013/08/26	2013/08/27
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Traci MULLANE	Title Titre A/Manager Training & Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
On 2013-06-07 at approximately 13:40 hrs, BSO and BSO responded to a call for assistance by BSO at primary lane 6. She was dealing with a subject who she suspected of having a firearm and was refusing to drive to secondary for an examination. BSO and BSO parked the cruiser in front of the subject's vehicle to prevent escape.	

Conformance to the Policy / Conformité aux politiques

Use of Force is in line with CBSA policy. Appropriate training recommendations have been offered to prevent escalation and gain immediate control in future instances of resistance.

Overall Comments and Recommendations / Commentaires globaux et recommandations

This writer would recommend the following:

BSO review the proper escort technique to gain proper control of a subject. Given the risk assessment, consider placing the subject in cuffs at first contact to prevent the subject from having the opportunity to escalate. I would also recommend that a thorough search be conducted on a subject prior to taking them to a cell area to ensure officer safety in a confined space.

Signature & Date

Traci MULLANE

2013/08/27

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Canada Border Services Agency

Agence des services frontaliers du Canada

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2013/10/16		
Location of Incident / Lieu de l'incident			
Southern Ontario, Sarnia, Blue Water Bridge - Traffic, 440 Sarnia BWB, Traffic Secondary			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Unknown			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: Renaud, Richard, Badge Number / N° d'insigne: 13264			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2013/10/16	2013/11/29		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Danny YEN	Title Titre	Manager, Training & Learning, Southern Ontario
Synopsis of the Complete Incident / Synopsis de l'incident complet			
While attempting to conduct a routine secondary vehicle examination the officers involved conducted an arrest for Hinderance under the Customs Act as the subject would not exit his vehicle and allow a vehicle examination to occur. The officers ultimately had to conduct an extraction of the subject from the vehicle to complete the arrest and ultimately complete the examination of the vehicle. No charges were ultimately laid by the Criminal Investigations Unit.			

Adherence to the Policy / Conformité à la politique

Officers acted in accordance with CBSA policies.

Overall Comments and Recommendations / Commentaires globaux et recommandations

As a Trainer I am satisfied with the reports that have been submitted by all three officers. The reports collectively painted a clear picture of the events that unfolded during this incident. Like any reports there can always be more details and in this case there were a few things that could have been a little more clear. Some of these examples may have been the exact verbals utilized throughout the incident, how was the traveler struck in the head and where in the head were they struck, why was medical attention not sought for the traveler's sore ribs. There are always things that can clarify a report and in this case some more details could have been added.

My recommendations with such incidents would be for a Trainer to actually sit down with all of the officers involved in the incident and allow them to verbally articulate the facts of the case. The Trainer can assist with drawing out more information with regards to the event and the officers can then explain to the Trainer more clearly what may or may not have occurred during the incident. The Trainer can then explain to the group what may or may not have been a more effective way of dealing with this situation or if amendments need to be made to their reports.

I firmly believe that sitting as a group with all parties involved is an effective way of communication and will be able to piece together the whole puzzle that numerous reports sometimes creates.

If Management is willing to bring all of these participants together for a debrief of the incident I would gladly participate in such a

session.

Will review possibility of debrief of incident.

Signature & Date

Danny YEN

2013/11/29

Signature

Date _____

Arming Division / Division de l'armement (05/15) v.1.4.1



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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/08/10
Location of Incident / Lieu de l'incident	
Southern Ontario, Sarnia, Blue Water Bridge - Traffic, BWB 440	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/11/20	2014/11/25
Management Review Completed by / Révision par la gestion complétée par	
Name / Nom: David Harris	Title / Titre: Manager Arming Division, Use of Force Policy Unit (Chair)
Name / Nom: Kerry Tierney	Title / Titre: Senior Program Officer: Use of Force Policy Unit, Arming Division
Name / Nom: Trevor Berg	Title / Titre: Arming Use of Force - Firearms Instructor/Program Officer: Use of Force Policy Unit
Name / Nom: Eric Daigle	Title / Titre: Senior Program Officer: Use of Force Policy Unit, Arming Division
Name / Nom: Zrinka Barisic	Title / Titre: Senior Program Advisor; Investigations, Enforcement and Intelligence Programs Directorate
Name / Nom: Julie Boileau-Bradette	Title / Titre: Team Leader, OITP and Use of Force Unit, Learning Design Solutions Division
Synopsis of the Complete Incident / Synopsis de l'incident complet	

On August 10, 2014 at approximately 17:50hrs at the port of Blue Water Bridge at Sarnia in the Southern Ontario Region, a vehicle with Michigan plates was observed travelling at high speeds towards the commercial area. The vehicle was observed by several BSO's to be driving erratically, sometimes against traffic, and in circles.

The subject vehicle was still driving erratically around the commercial secondary area, BSO's arrived and proceeded to partially cut-off the subject vehicle on an angle; the subject slowed down to a stop approximately 20 feet from the cruiser.

Adherence to the Policy / Conformité aux politiques

The Committee finds that based on the risk assessment considered in conjunction with the review made by a Use of Force Trainer, the actions of the five officers to point their duty firearms and the four officers to draw their duty firearms to the low ready were reasonable for the situation and in line with CBSA Use of Force Policy.

The Committee finds that the physical use of force (soft empty hand take down techniques) used by the officers were reasonable due to the subject's behaviour, his level of resistance and the situational factors, and was therefore in line with CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

The committee recommends that:

The BSO's and the Management staff at the Blue Water Bridge POE use this incident as a positive learning event to fine tune POE responses in the possibility of an event of a similar nature occurring. A critical examination of how the event unfolded could be beneficial, focusing on aspects such as; coordination of CBSA vehicles and positioning, use of vehicles as cover (HRVE tactics), scene securing, employing tactical considerations, officer contact\cover roles, other cover and concealment options, etc.

Signature & Date

David HARRIS

2014/11/25

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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	2015/10/01		
Location of Incident / Lieu de l'incident			
Southern Ontario, Sarnia, Blue Water Bridge - Traffic, Blue Water Bridge			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoin(s) (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2016/11/01	2016/11/01		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager : Use of Force Policy Unit, Arming Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer : Use of Force Policy Unit, Arming Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On October 1st 2015 At approximately 0832 hours, BSO was working at PIL booth #6 at the Bluewater Bridge POE in Sarnia Ontario. A with Quebec plates and occupied by one female occupant arrived. The driver was a Canadian citizen;			

BSO called Superintendent I and notified him that the traveler in lane #6 is an Armed and Dangerous and that she would be referring the vehicle.

Adherence to the Policy / Conformité aux politiques

The decision by Superintendent to draw his duty firearm to the low ready to address the high risk threat posed by the Armed and Dangerous is considered appropriate and is supported by CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no training recommendations stemming from this incident.

It is

recommended that management at Sarnia Blue Water Bridge Port of Entry review this protocol as the Arming Division has recommended that wherever feasible Ports should have a designated area at Secondary Inspection that offers and utmost officer and public safety in the way of cover and concealment and limited arcs of fire and safe backgrounds.

Signature & Date

Nigel SUAREZ

2016/11/01

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2016/01/24		
Location of Incident / Lieu de l'incident			
Southern Ontario, Sarnia, Blue Water Bridge - Traffic, BLUEWATER BRIDGE SARNIA 0440			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne		
Witnesses (if any) / Témoin(s) (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2017/05/16	2017/05/24		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager : Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor/ Senior Program Officer : Defensive Tactics Program Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer : Defensive Tactics Program Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On January 24th, 2016 at 0120 hours at the Blue Water Bridge Port of Entry, BSO		referred a vehicle from Primary Inspection Line Booth # 6.	
BSO noticed that the drivers' eyes were very red and asked her if she had anything to drink this evening.			
BSO filled out the E67 indicating "no" to the mandatory questions and referred the traveller to Secondary to speak with immigration.			
BSO greeted the driver of the vehicle, now known as [REDACTED] BSO immediately noticed strong indicators of [REDACTED] being under the influence of alcohol. Her speech was slurred, her eyes were blood-shot red and her eyelids were droopy and blinking slowly as she spoke. BSO asked her if she had anything to drink tonight, to			

Adherence to the Policy / Conformité aux politiques

Once arrested and notified the driver of the vehicle was given ample opportunity to cease her resistant behaviour and comply with the officers commands; therefore the use of physical controls to remove her from the vehicle and gain compliance of the resistant and assaultive subject was reasonable and in line with CBSA training and policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no training recommendations stemming from this incident

Signature & Date

David HARRIS

2017/05/24

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident	
	2013/11/24	
Location of Incident / Lieu de l'incident		
Southern Ontario, Windsor, D&C Tunnel - Traffic, Detroit - Windsor Tunnel Secondary		
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)		
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne:	
Witnesses (if any) / Témoin(s) (si applicable)		
Name / Nom:	Badge Number / N° d'insigne:	
Technical Review Completed by / Revue technique effectuée par		
Name / Nom: Renaud, Richard, Badge Number / N° d'insigne: 13264		
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu	
2014/01/26	2014/01/26	
Management Review Completed by / Révision par la gestion complétée par		
Name Nom	Danny YEN	Title Titre
		Manager, Training & Learning, SO Campus
Synopsis of the Complete Incident / Synopsis de l'incident complet		
On November 24, 2013 at approximately 17:15 a subject by the name of [REDACTED] was attempting to enter Canada at the Detroit & Windsor Tunnel port of entry. Upon secondary examination of the subject the examining officers observed the subject to be chewing on something that they suspected may be narcotics. The officers used verbal commands to request the subject to spit out the item and the subject did not. The officers then used force (physical control soft tactics) to get the subject to spit out the item. The item was a suspected marihuana cigarette. The subject was subsequently arrested for a violation of the Customs Act (smuggling s.159) and a violation under the Criminal Code of Canada (obstruction s.129).		

Adherence to the Policy / Conformité aux politiques

Officers use of force in accordance with CBSA policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

As a Trainer I would suggest all of the officers involved in this incident review this report. If they have any questions or concerns with this report they could then contact myself for any further discussion regarding this matter. The actual force that was applied was inline with training that the CBSA provides. Based on the officers risk assessment and the behaviour of the subject, the intervention options used were acceptable based on the IMIM. That being said, the timing of the force utilized would be something that the officers should be aware of and it should have been earlier and ideally after a detention or arrest.

Signature & Date

Danny YEN

2014/01/26

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

This document contains neither recommendations nor conclusions of the Canadian Border Services Agency. It reflects the views of the author only. The document has not been subject to Agency review or approval. The Agency is not responsible for the content of this document.



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2014/07/05		
Location of Incident / Lieu de l'incident			
Southern Ontario, Windsor, D&C Tunnel - Traffic, Documentation Room - D&C Tunnel-Traffic			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoin(s) (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: Mohamad MOHTADI, Badge Number / N° d'insigne: 13088			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2014/08/14	2014/08/14		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Danny YEN	Title Titre	Manager, Training & Learning, Southern Ontario Campus
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On July 5th, 2014, at approximately 22:40hrs, [REDACTED] made a claim for refugee status at the Windsor-Detroit Tunnel. [REDACTED] was found to be ineligible to make a refugee claim since he did not have an anchor relative in Canada. During the removal process, [REDACTED] refused to return to the United States, requiring officers to use force in order to affect the removal under the Immigration and Refugee Protection Act.			

Compliance to the Policy / Conformité aux politiques

Officers use of force were in accordance with CBSA policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

- All officers should review the Arrest and Detention Policy and Procedures as per CBSA Enforcement Manual – Part 6 in order to familiarize themselves with the Arrest/Detention procedure.
- All officers should review Division 6 - Detention and Release - of the Immigration and Refugee Protection Act () in order to familiarize themselves with arrest and detentions without a warrant.

Signature & Date

Danny YEN

2014/08/14

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2014/11/07		
Location of Incident / Lieu de l'incident			
Southern Ontario, Windsor, D&C Tunnel - Traffic, Detroit Canada Tunnel Secondary			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: Berg, Trevor, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2016/02/29	2016/02/29		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Nigel SUAREZ	Title Titre	(Acting) Manager : Use of Force Policy Unit, Arming Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer : Use of Force Policy Unit, Arming Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
At approximately 19:15 hours, on November 07, 2014 at the Detroit Canada Tunnel Secondary Inspection area. BSO's were conducting a declaration verification of two occupants of a vehicle with Illinois plates.			
<p>There were two occupants in the vehicle. A US male driver and a US female passenger. BSO retrieved the yellow referral slip off the windshield of the vehicle which read that the travellers made a wrong turn, had nothing declared and no proof of citizenship as Immigration was circled. BSO instructed the subjects to unlock the vehicle, pop and open the hood and to stand in front of the vehicle as their declaration was verified. The two subjects exited the vehicle and stood in front. BSO interviewed the subjects as BSO and BSO performed the secondary examination.</p>			
<p>At approximately 19:23 hours BSO discovered an undeclared . calibre handgun secreted in the rear driver's side tool storage deck under the flip up lid and floor carpet. The small handgun appeared heavy to the touch and loaded with a magazine in the handgrip area.</p>			

Adherence to the Policy / Conformité aux politiques

The drawing to the low ready by BSO [redacted] to mitigate the threat of grievous bodily harm or death was a sound and appropriate response supported by CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

In order to improve BSO safety during handcuffing of multiple high risk subjects, it is recommended that the BSOs involved in the incident review high risk arrest procedures that are part of Lesson 16 on high risk vehicle extractions, namely 16.5 Handcuffing, 16.5.1 Cover roles during Handcuffing, and 16.9 Areas of Responsibility.

Signature & Date

Nigel SUAREZ

2016/02/29

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident

Date of Incident / Date de l'incident

2015/03/07

Location of Incident / Lieu de l'incident

Southern Ontario, Windsor, D&C Tunnel - Traffic, Windsor Tunnel Traffic, Bus Primary Area

Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)

Name / Nom: Badge Number / N° d'insigne:
Name / Nom: Badge Number / N° d'insigne:

Witnesses (if any) / Témoins (si applicable)

Technical Review Completed by / Revue technique effectuée par

Name / Nom: Martinho, Meaghan, Badge Number / N° d'insigne: 13352

Date Management Review Commenced / Date que la révision par la gestion a commencé

2015/09/03

Date Management Review Concluded / Date que la révision par la gestion a conclu

2015/09/03

Management Review Completed by / Révision par la gestion complétée par

Name Nom	Melissa BRANNAGAN	Title Titre	A/ Manager of Training Delivery
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Synopsis of the Complete Incident / Synopsis de l'incident complet

On March 7, 2015, at approximately 17:15hrs,
section 153 of the Customs Act.

was arrested for hindering under

Overall Comments and Recommendations / Commentaires globaux et recommandations

No recommendations necessary.

Signature & Date

Melissa BRANNAGAN

2015/09/03

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/03/27
Location of Incident / Lieu de l'incident	
Southern Ontario, Windsor, D&C Tunnel - Traffic, Windsor Tunnel - secondary area	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Jami MOORE, Badge Number / N° d'insigne: 16948	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/07/21	2015/07/21
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Nigel SUAREZ	Title Titre A/Manager : Use of Force Policy Unit, Arming Division
Name Nom Caroline Joly	Title Titre A/Manager: Use of Force Instructor Recruitment and Development Unit, Arming Division
Name Nom Zrinka Barisic	Title Titre A/Senior Program Advisor; Investigations, Enforcement and Intelligence Programs Directorate
Name Nom Jason Bacon	Title Titre OITP and Use of Force Unit, Learning Design Solutions Division
Name Nom Trevor Berg	Title Titre UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division
Name Nom Kerry Tierney	Title Titre Senior Program Officer: Use of Force Policy Unit, Arming Division
Name Nom Jami Moore	Title Titre UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division
Synopsis of the Complete Incident / Synopsis de l'incident complet	
On March 27, 2015, at or about 1900 hours, a Michigan plated SUV approached the PIL of BSO The vehicle was being driven by and he was the sole occupant. He reported that he was going to "Russ's Place." The primary interview was completed and he did not declare any goods. He did not declare any firearms when asked that specific question. nas referred to secondary as he was downplaying the examination and his past Immigration enforcement.	

As [REDACTED] opened the glove box he heard [REDACTED] say "OH SHIT!" Based on his behaviour at that time, his statement of "OH SHIT," and the presence of the unreported firearm in a holster,

then continued the vehicle examination with the assistance of DDS. Another loaded pistol was recovered under the driver's seat. The Beretta was concealed under the seat and loaded with a fully loaded prohibited magazine.

Adherence to the Policy / Conformité aux politiques

The committee finds that the drawing of the duty firearm to the low ready by BSOs was proportional, appropriate and in-line with CBSA training and Use of Force Policy

Overall Comments and Recommendations / Commentaires globaux et recommandations

Officers should be reminded when arresting/detaining foreign nationals, in addition to affording them their Charter rights, they must be afforded their rights under the terms of the Vienna Convention Article 36 as this was not specifically mentioned in the IMRS or ICES reports.

Signature & Date

Nigel SUAREZ

Signature

2015/07/21

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/04/10
Location of Incident / Lieu de l'incident	
Southern Ontario, Windsor, D&C Tunnel - Traffic, 31 PARK STREET EAST WINDSOR ONTARIO	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Berg, Trevor, Badge Number / N° d'insigne: 10712	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/04/30	2015/05/19

Management Review Completed by / Révision par la gestion complétée par

Name Nom	Nigel Suarez	Title Titre	A/Manager: Use of Force Policy Unit, Arming Division
Name Nom	Patrick Murphy	Title Titre	Counsel, CBSA Legal Services
Name Nom	Brian Hilton	Title Titre	Senior Policy Advisor, Use of Force Policy Unit, Arming Division
Name Nom	Zrinka Barisic	Title Titre	Senior Program Advisor; Investigations, Enforcement and Intelligence Programs Directorate
Name Nom	Julie Boileau-Bradette	Title Titre	Team Leader, OITP and Use of Force Unit, Learning Design Solutions Division
Name Nom	Maureen Haley	Title Titre	Senior Program Advisor - Compliance Programs Unit, Border Programs Directorate
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer: Use of Force Policy Unit, Arming Division
Name Nom	Tara Traves	Title Titre	Manager, Traveller Processing, Traveller Operations Division, Operations Branch
Name Nom	Cathy Christenson	Title Titre	Use of Force Instructor/Senior Program Officer, Arming Division
Name Nom	Bushra Pasha	Title Titre	Senior Communications Advisor, Corporate Affairs Branch

Synopsis of the Complete Incident / Synopsis de l'incident complet

On April 10, 2015 at approximately 6:35am, BSO (in full uniform with defensive and protective equipment) exited the Park Street door of the D&C Tunnel Port of Entry (Windsor Tunnel) CBSA office to go to Tim Hortons that is located across Park street. BSO was on shift that day from 06:45 to 17:15. As he exited, BSO saw a man exiting the southwest door of the Tim Hortons onto Park St. The man (Subject) was a white male, approximately 5'11" wearing a black hat, black sunglasses, black jacket and he was carrying a garbage bag.

As BSO crossed the street, a Tim Hortons employee yelled towards BSO through the drive through window stating, "he just robbed us." The subject started to run towards the tourist information, BSO yelled "hey stop." and started following after him. Tim Hortons staff also called the police at this time.

Adherence to the Policy / Conformité aux politiques

The committee was influenced by the following situational factors:

- Policies of the CBSA do not permit officers to work outside of the scope of their lawful authorities and assigned duties. Assistance to local law enforcement and non-Portfolio partners is permitted in only exigent or otherwise very limited circumstances.

The decision to follow the suspect and report to local police authority did not contravene any CBSA policy. In fact, it followed CBSA recommendation that, in lieu of direct engagement when encountering situations that do not fall within the Mandate of the CBSA or the legal authorities of CBSA officers, that CBSA officers use their competence as trained observers to pass information on to police. The assistance that BSO [REDACTED] provided to the police officer by handcuffing the subject when arrested by the police officer is also consistent with CBSA policy in that the assistance was minimal in nature and cognizant of the exigencies of the situation (before police backup was available). Nevertheless, despite the fact the Committee found no contravention of policy by BSO [REDACTED] actions, the initial decision of BSO [REDACTED] to yell "hey stop" to the subject had the potential to change the circumstances such that BSO [REDACTED] would have been required to physically confront the subject and/or use force to defend his person, which may have resulted in a contravention of CBSA policy. As a result, officers are reminded that their authorities are limited and that the use of force, with or without their defensive equipment, has strict limits beyond which there could be serious ramifications both to the officer (e.g. the potential unavailability of legal assistance or indemnification in accordance with Treasury Board Policy) and the CBSA.

Overall Comments and Recommendations / Commentaires globaux et recommandations

No training recommendations.

Signature & Date

David HARRIS

2015/05/19

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

Canada Border
Services AgencyAgence des services
frontaliers du CanadaPROTECTED
PROTÉGÉ

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une fois rempli

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Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/04/14
Location of Incident / Lieu de l'incident	
Southern Ontario, Windsor, D&C Tunnel - Traffic, Secondary search Windsor/Detroit Tunnel	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Jami MOORE, Badge Number / N° d'insigne: 16948	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/07/07	2015/07/07
Management Review Completed by / Révision par la gestion complétée par	
Name Nom	Title Titre
Nigel SUAREZ	(Acting) Manager : Use of Force Policy Unit, Arming Division
Synopsis of the Complete Incident / Synopsis de l'incident complet	
On April 14, 2015 at approximately 22:20 hrs, BSO placed the subject under detention for the purposes of a personal search. During the application of the first handcuff, the subject started to turn towards the officer and push backward toward BSC BSC placed his hand on the middle of the subject's back and pushed which allowed him to apply the second handcuff. Once in the holding cell, the subject became more aggressive and tried again to turn and to push against the officer. The officer once again countered the subjects push. No other force was used.	

Adherence to the Policy / Conformité aux politiques

Based on the reports provided, the soft empty hand control techniques used by BSO are considered proportional, appropriate and in-line with CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

No training or other action is required as a result of this incident.

Signature & Date

Nigel SUAREZ

2015/07/07

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2015/07/18		
Location of Incident / Lieu de l'incident			
Southern Ontario, Windsor, D&C Tunnel - Traffic, Lakeview Park Marina			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: Jami MOORE, Badge Number / N° d'insigne: 16948			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2015/11/16	2015/12/04		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Nigel Suarez	Title Titre	A/Manager : Use of Force Policy Unit, Arming Division
Name Nom	Caroline Joly	Title Titre	A/Manager: Use of Force Instructor Recruitment and Development Unit, Arming Division
Name Nom	Zrinka Barisic	Title Titre	A/ Manager- Enforcement and Intelligence Programs Directorate
Name Nom	Julie Boileau-Bradette	Title Titre	Team Leader, OITP and Use of Force Unit, Learning Design Solutions Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer: Use of Force Policy Unit, Arming Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
<p>On July 18, 2015 a vessel arrived at the Lakeview Marina in Windsor, ON. Aboard that vessel was . When the captain called into the TRC in Hamilton, members of the TRC contacted the Windsor Tunnel POE to inform them that the vessel may be inadmissible to Canada. Local management dispatched members of the District Enforcement Team to determine his admissibility and examine the vessel. When the BSO's arrived at the marina, BSO interviewed the client while examined the vessel.</p> <p>was evasive during the Immigration interview and would not provide the necessary details to make a determination on his admissibility. BSOs contacted A/Superintendent who authorized the BSO's to transport back to the POE for further processing. was informed of this decision and then he stated that this was "ridiculous" and he</p>			

became argumentative. As he was being lead to the non-caged port vehicle for transportation to the POE, he detoured towards some bystanders that were seated at a table. BSO stated that he engaged these bystanders to look for a sympathetic response. also felt that this was an attempt by to evade Immigration examination

Adherence to the Policy / Conformité aux politiques

The Committee made note of the following comments from the use of force incident reports submitted:

BSO states in his report that was not under arrest or detention at the time of the application of the wrist lock / escort control position, he was under immigration examination and presented a flight risk as above explained. BSO explained to subject as she was handcuffing him that it was CBSA policy to handcuff all transported individuals for theirs and our safety."

CBSA Enforcement Manual (EN) – Part 6 – Searches and Enforcement Actions – Persons – Chapter 1 – Arrest and Detention Policy and Procedures, states:

"54. Based on risk, officers have the authority to handcuff persons who are lawfully arrested or detained. Officers must assess the risk and act on reasonable grounds when deciding to handcuff a person."

Section 101 of the EN manual states:

"101. Handcuff arrested persons and detained persons in accordance with the policy guidelines."

The Enforcement (ENF) Manual 4 - Port of entry examinations states in part at section 8.4:

"The Supreme Court of Canada has held that an Immigration Secondary examination at a port of entry does not constitute a 'detention' within the meaning of sub section 10(b) of the Canadian Charter of Rights and Freedoms [Dehghani v. Canada (Minister of Employment and Immigration), [1993] 1 S.C.R. 1053]... This court decision clarifies that the Charter only gives the right to counsel to those who are arrested or detained... The right to counsel depends on what transpires after the foreign national is first subject to examination. For example... if restraining devices are used or the foreign national is placed in a holding cell, even temporarily, then an officer must inform the foreign national of the reason for the detention and of their right to counsel"

The EN manual states that officers have the authority to handcuff persons who are lawfully arrested or detained, after an assessment of risk. Because _____ was neither detained or under arrest when he was handcuffed, the committee found that the use of force, while appropriate and proportional to the behaviour displayed by _____ is not supported by CBSA policy or current training standards.

The committee finds that although the empty hand techniques used appeared was proportional to the resistance displayed by the subject; this use of force was not in-line with CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

As the traveler was handcuffed without being arrested or detained, the committee recommends that the officers involved review Chapter 1 – Arrest and Detention Policy and Procedures (the EN manual) which contains the Agency's policy on handcuffing, as well as Enforcement (ENF) Manual 4 - Port of entry examinations, section 8.4.

In addition the BSOs involved should review and fully understand Operational Bulletin PRG-2015-34 "Transportation of non-detained persons in Agency vehicles while administering CBSA program legislation". Following the

issuance of this bulletin, Traveller Operations and Programs recently worked with the Southern Ontario Region to develop a shift briefing to provide clarification on the use of restraints in transport. This incident occurred prior to it being issued; however, the officers involved are encouraged to review Shift Briefing 2015-HQ-AC-OPS-10-26 "Transportation of Non-detained Persons in Agency Vehicles while Administering CBSA Program Legislation" if they have not already had the opportunity to do so.

Signature & Date

Nigel SUAREZ

2015/12/04

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

This document contains neither recommendations nor conclusions of the Canadian Border Services Agency. It reflects the views of the author only. The mention of specific companies or products does not imply an endorsement by the CBSA.



Canada Border Services Agency

Agence des services frontaliers du Canada

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Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident	
	2015/07/09	
Location of Incident / Lieu de l'incident		
Southern Ontario, Windsor, D&C Tunnel - Traffic, General Office		
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)		
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne	
Name / Nom:	Badge Number / N° d'insigne:	
Witnesses (if any) / Témoins (si applicable)		
Technical Review Completed by / Revue technique effectuée par		
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712		
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu	
2016/01/26	2016/01/26	
Management Review Completed by / Révision par la gestion complétée par		
Name Nom	Title Titre	(Acting) Manager : Use of Force Policy Unit, Arming Division
Nigel SUAREZ		
Name Nom	Title Titre	Senior Program Officer: Use of Force Policy Unit, Arming Division
Kerry Tierney		
Synopsis of the Complete Incident / Synopsis de l'incident complet		
On July 9th 2015, in the secondary area of the Windsor D&C tunnel POE, a female Columbian national was denied entry to Canada. The subject was accompanied by four additional family members including two young children.		
Through an interpreter, BSO's explained the situation to the subject and associates. The family was instructed to return to their vehicle so they could return to the USA.		
The subject walked away holding one of the children. She was requested repeatedly to let the child go with the father. She would not let go and started squeezing the child in her arms.		

Conformance to the Policy / Conformité aux politiques

The soft empty hand techniques used by BSOs appropriate, proportional and in line with CBSA Use of Force Policy. to prevent injury to the child are considered

Overall Comments and Recommendations / Commentaires globaux et recommandations

Officers are reminded of the requirement to notify the subject of the reasons for the arrest or detainment and given their other legal rights when they are restrained by handcuffs.

Signature & Date

Nigel SUAREZ

Signature

2016/01/26

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2016/06/01		
Location of Incident / Lieu de l'incident			
Southern Ontario, Windsor, D&C Tunnel - Traffic, Windsor Tunnel			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2017/05/16	2017/05/29		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager : Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor/ Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Synopsis of the Complete Incident / Synopsis de l'incident complet		On June 1, 2016 at approximately 15:40 a was referred into the secondary inspection area. The vehicle was driven by a lone occupant, stated that she was going to Niagara Falls by herself for a few days, and that she had never been to Canada before. had little access to funds and did not have a hotel reservation.	
After further questioning about her trip she became agitated (raising her voice and speaking loudly) and stated that she was leaving. attempted to place her bags that BSO was searching into her vehicle, at which point BSO advised the subject that she would be arrested for hindering an officer if she did not comply with lawful commands. continued her attempt to flee back to the United States ignoring the officer's commands to stand in the front of the vehicle. At approximately 15:48 BSO arrested for hindering an officer pursuant to Sec. 153.1 of the Customs Act.			

Adherence to the Policy / Conformité aux politiques

The risk assessment articulated in the reports provided by BSOs correctly assessed the subject as actively resistant. The soft physical control techniques used by the BSOs is considered necessary, proportional and supported by CBSA Use of Force Training and policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

BSO [REDACTED] is mentioned in BSO [REDACTED] and BSO [REDACTED] reports as being involved in the incident; however there is no IMRS narrative for this officer. Local management should ensure as per paragraph 3.0.3 of the CBSA Standard Operating Procedures on Use of Force and Reporting that all officers involved in, and all witness officers to an incident complete an IMRS narrative.

There are no training recommendations resulting from this encounter.

Signature & Date

David HARRIS

Signature

2017/05/29

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2017/05/06
Location of Incident / Lieu de l'incident	
Southern Ontario, Windsor, D&C Tunnel - Traffic, Secondary search area	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	, Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
NA	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Tierney, Kerry, Badge Number / N° d'insigne: 0000	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2017/10/30	2017/10/30
Management Review Completed by / Révision par la gestion complétée par	
Name Nom David Harris	Title Titre Manager, Defensive Tactics Program Division - Use of Force Policy Unit
Name Nom Trevor Berg	Title Titre UOF Instructor / Senior Program Officer - Use of Force Policy Unit
Name Nom Kerry Tierney	Title Titre Senior Program Officer -Use of Force Policy Unit
Synopsis of the Complete Incident / Synopsis de l'incident complet	
On May 6th 2017 at approximately 19:45hrs, a white with Alabama plates driven by entered the secondary examination area coded for a weapons check. BSOs and instructed the subject to leave everything where it was and exit the vehicle. The subject continued to fidget with items on the passenger seat before finally exiting the vehicle with a yellow and black zippered container in his hands. When asked why he had the container in his hands, the subject stated that he did not know what it was and had just found it on the ground in Detroit and then threw it onto the hood of the car.	
BSO opened the container while the other two officers started the vehicle examination. BSO informed BSO and BSO that the bag contained a spoon, a needle and an unknown substance.	
BSO then informed the subject that he was under detention for suspicion of smuggling suspected narcotics and BSO told the subject to turn around and put his hands behind his back. The subject was verbally protesting the detention but appeared to be cooperating. The subject complied and BSO placed one handcuff on the subject. The	

subject then pulled away and tried to escape.

The examination of the vehicle was completed. Drug paraphernalia and a small amount of illegal narcotics were found during the search. Another small bag of illegal narcotics was also found in the subject's pocket.

Adherence to the Policy / Conformité aux politiques

The decision by BSOs to all use soft physical controls on the subject in this case is considered reasonable, appropriate and supported by CBSA Use of Force policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no recommendations resulting from this incident.

Signature & Date

David HARRIS

2017/10/30

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2016/12/22		
Location of Incident / Lieu de l'incident			
Southern Ontario, Windsor, Tunnel - Commercial, Windsor Tunnel Commercial - Bay #2			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoin(s) (si applicable)			
NA			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: Tierney, Kerry, Badge Number / N° d'insigne: 0000			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2017/09/06	2017/09/06		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager, Defensive Tactics Program Division
Name Nom	Trevor Berg	Title Titre	UOF Instructor / Senior Program Officer, Defensive Tactics Use of Force Policy Unit
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer, Defensive Tactics Use of Force Policy Unit
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On December 22, 2016 at around 14:01hrs BSOs were working at the Windsor Detroit Tunnel Commercial Operations when they encountered the Subject. Upon approach, the subject was standing outside of his vehicle with the door open, reaching for the E692. BSO approached the subject as BSO stayed on the passenger side.			
As the two BSOs began the examination of the vehicle, the subject approached BSO informed the subject that he should stand at the front of the vehicle. The subject almost immediately approached BSO again and was again instructed to stand toward the middle at the front of the vehicle. The subject then began to argue with BSO . Both BSO explained several times the reasons as to why they wanted the subject to stand at the front of the vehicle. The subject continued to refuse to comply.			

Adherence to the Policy / Conformité aux politiques

The initial use of force that was limited to soft physical controls is considered proportional but the omission by the two BSO to arrest/detain the subject and provide the subject with his rights during their initial hands on encounter is considered outside of CBSA Use of Force Policy and training.

The subsequent use of force by BSO which was properly followed up with and arrest and rights is considered justified and in line with CBSA Use of Force Policy and training.

Overall Comments and Recommendations / Commentaires globaux et recommandations

It is recommended that BSO review the CBSA ENFORCEMENT MANUAL, Part 6 SEARCHES AND ENFORCEMENT ACTIONS – PERSONS, Chapter 1 ARREST AND DETENTION POLICY AND PROCEDURES in order to ensure that they understand and assure the rights of all arrested/detained subjects going forward.

Signature & Date

David HARRIS

2017/09/06

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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L'ASFC a pour politique de recueillir de l'information sur les détails de tout incident relatif au recours à la force. Cette pratique permettra à l'ASFC de rassembler des informations sur les types et la fréquence des incidents. Elle permettra également à l'ASFC de prendre des décisions importantes en matière de sécurité et de protection en lien avec le personnel et les besoins de la formation continue. L'information recueillie dans ce formulaire est protégée et peut être communiquée à des organismes internes ou externes selon un usage compatible ou en vertu d'autres dispositions énoncées au paragraphe 8(2) de la Loi sur la protection des renseignements personnels <http://laws-lois.justice.gc.ca/fra/lois/P-21/index.html>. L'information est conservée dans un fichier de l'ASFC PIB PPU 012. Des explications complémentaires sur l'information conservée dans ce fichier figurent dans le guide Info Source, disponible dans les bibliothèques, ou dans le site internet d'Info Source <http://www.infosource.gc.ca>.

Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2013/01/27
Location of Incident / Lieu de l'incident	
Southern Ontario, Windsor, Ambassador Bridge - Commercial, Primary Truck Line #7 Commercial	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) // témoins (si applicable)	
Name / Nom:	Badge Number / N° d'insigne:
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: John MCDONALD, Badge Number / N° d'insigne: 13072	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2013/05/10	2013/05/10
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Traci MULLANE	Title Titre a/Manager Training & Learning SOR
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Ambassador Bridge Commercial Primary On January 27 2013, at approximately 2030 hrs, BSO [redacted] BSO [redacted] and BSO [redacted] used force to control a resistant subject on Truck Primary Line #7. The subject, [redacted] was arrested for Assault Peace Officer and ultimately charged with S. 153.1 (b) Customs Act Hindering an Officer and S. 153 (c) Customs Act Evade Compliance with the Act. Empty hand control soft tactics were used to control the lone male subject.	

Technical Soundness / Validité technique

In reviewing this incident and reports received by officers involved I believe that none of the BSO's involved used excessive force. Based on the combination of situational factors given and the exhibited behaviour by the subject it is my belief that the intervention options used were well within the parameters of the law in regards to force used.

Adherence to the Policy / Conformité aux politiques

yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

No training recommendations at this time.

Signature & Date

Traci MULLANE

2013/05/10

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Canada Border Services Agency

Agence des services frontaliers du Canada

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Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/11/30
Location of Incident / Lieu de l'incident	
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals,	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2017/05/29	2017/05/29
Management Review Completed by / Révision par la gestion complétée par	
Name / Nom: David Harris	Title / Titre: Manager : Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name / Nom: Trevor Berg	Title / Titre: UOF/Firearms Instructor/ Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name / Nom: Kerry Tierney	Title / Titre: Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name / Nom: Nigel Suarez	Title / Titre: Senior Program Advisor: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Synopsis of the Complete Incident / Synopsis de l'incident complet	
On November 30th 2015, the Immigration Task Force (ITF) with CBSA Inland Enforcement officers from the Greater Toronto Region – Inland Investigations and Removals, along with RCMP Constables attended the area of in Toronto, Ontario., A foreign national; had an outstanding warrant for his arrest, for removal from Canada. The subject also had an outstanding arrest warrant from the Toronto Police Service for Robbery. The subject's criminal history involved violence and weapons, including firearms. In addition, subject is a known member of the Victoria Park Bloods, a violent Toronto street gang.	

Adherence to the Policy / Conformité aux politiques

The decision by Officer [REDACTED] to draw his duty firearm to the low ready in response to the potential threat posed by the subject based on the subject's history of weapons and violence is considered appropriate and supported by CBSA Use of Force training and policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no training recommendations stemming from this incident.

Signature & Date

David HARRIS

Signature

2017/05/29

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/12/15
Location of Incident / Lieu de l'incident	Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, charter flight to Lagos
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	Name / Nom: Badge Number / N° d'insigne: Name / Nom: Badge Number / N° d'insigne: Name / Nom: Badge Number / N° d'insigne: Name / Nom: Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	Name / Nom: Decaire, Percy, Badge Number / N° d'insigne: 15569
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/08/14	2015/08/14
Management Review Completed by / Révision par la gestion complétée par	Name / Nom: Carmen MANLONGAT Title / Titre: Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	Synopsis of the Incident as per Officer On 15DEC2014 Officer's and myself were assigned to escort _____ and s a Nigerian national who claimed he was a member of _____ movement with the aim of securing the resurgence of the defunct state of Biafra from Nigeria". _____ is also a Nigerian national with an extensive criminal record in both the USA and Canada that consisted of Assault on police, resist arrest, cause bodily harm and numerous fraud related charges. Both clients were under deportation orders from Canada.

Adherence to the Policy / Conformité aux politiques

Yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

No recommendation for training required.

Signature & Date

Carmen MANLONGAT

2015/08/14

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/05/27
Location of Incident / Lieu de l'incident	
Greater Toronto, Toronto - Criminal Investigations	TORONTO, ON
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom	, Badge Number / N° d'insigne:
Name / Nom	Badge Number / N° d'insigne
Name / Nom	Badge Number / N° d'insigne
Name / Nom	Badge Number / N° d'insigne:
Name / Nom	Badge Number / N° d'insigne:
Name / Nom	Badge Number / N° d'insigne:
Name / Nom	Badge Number / N° d'insigne:
Name / Nom	Badge Number / N° d'insigne:
Name / Nom	Badge Number / N° d'insigne:
Name / Nom	Badge Number / N° d'insigne:
Name / Nom	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Sharon MURPHY, Badge Number / N° d'insigne: 14904	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/07/21	2015/07/21
Management Review Completed by / Révision par la gestion complétée par	
Name Nom	Title Titre
Carmen MANLONGAT	Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
BACKGROUND INFORMATION:	
POI WAS ARRESTED AND POLICE SEIZED A LOADED CALIBRE HANDGUN. POI WAS CHARGED WITH ARMED ROBBERY. POI IS CURRENTLY OUT ON BAIL WITH POI	
POI IS CAUTION "V" ON CPIC. CARRY A FIREARM ON HIS LEG.	
POI IS KNOW TO	
POI IS THE REGISTERED OWNER OF SIX RESTRICTED HANDGUNS.	

Adherence to the Policy / Conformité aux politiques

There are security concerns in regards to what happened in this situations. All officers need to know their roles and authorities to prevent subject from entering premises. It was a high risk situation.

Overall Comments and Recommendations / Commentaires globaux et recommandations**Signature & Date**

Carmen MANLONGAT

2015/07/21

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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L'ASFCA a pour politique de recueillir de l'information sur les détails de tout incident relatif au recours à la force. Cette pratique permettra à l'ASFCA de rassembler des informations sur les types et la fréquence des incidents. Elle permettra également à l'ASFCA de prendre des décisions importantes en matière de sécurité et de protection en lien avec le personnel et les besoins de la formation continue. L'information recueillie dans ce formulaire est protégée et peut être communiquée à des organismes internes ou externes selon un usage compatible ou en vertu d'autres dispositions énoncées au paragraphe 8(2) de la Loi sur la protection des renseignements personnels <http://laws-lois.justice.gc.ca/eng/lois/P-21/index.html>. L'information est conservée dans un fichier de l'ASFCA PIB PPU 012. Des explications complémentaires sur l'information conservée dans ce fichier figurent dans le guide Info Source, disponible dans les bibliothèques, ou dans le site Internet d'Info Source <http://www.infosource.gc.ca>.

At about 13:00hrs, after concluding her meeting with clients, and after the officers spoke to these clients to confirm that their meeting was in relation to an immigration application, Investigator [REDACTED] placed [REDACTED] under arrest and handcuffed her.

After applying handcuffs and double-locking them, Investigator [REDACTED] asked [REDACTED] to give him the cellular phone and glasses. The reason was for officer safety, and to preserve potential evidence that may be located on the phone.

Technical Soundness / Validité technique

The two investigators correctly assessed the risk posed by the subject and through good communication get the subject safely handcuffed. The use of soft physical control techniques to deal with the resistance posed by the subject is considered necessary and supported by CBSA Use of Force Training.

Adherence to the Policy / Conformité aux politiques

The soft physical controls used by Investigator [REDACTED] are considered proportional, necessary and in line with CBSA Use of Force training and policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no recommendations resulting from this incident.

Signature & Date

David HARRIS

2017/05/29

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2013/05/15
Location of Incident / Lieu de l'incident	
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, Toronto ON	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Decaire, Percy, Badge Number / N° d'insigne: 15569	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2013/07/02	2013/07/02
Management Review Completed by / Révision par la gestion complétée par	
Name Nom: Carmen MANLONGAT	Title Titre: Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
<p>As stated by _____ is a foreign national of Venezuelan descent. He entered Canada through Pearson International Airport in October 2010 where he made a refugee claim against Venezuela. _____ has an extensive criminal record in the United States consisting of convictions for Theft, Burglary, Conspiracy, Receiving Stolen Property, Sale or Transfer of Firearms. These convictions led to his deportation from the United States, and a 44 report under section 36 1(b) in Canada.</p> <p>_____ also had outstanding criminal charges in Canada for assault stemming from a Domestic incident in the Niagara Falls region. Officers from the Immigration Task Force (Joint Forces Operation, RCMP-CBSA) had reasonable grounds to believe that the subject was in hiding at this location based on previous investigative efforts.</p>	

**Technical Soundness / Validité technique**

the only recommendation provided to the Officer by this reviewer was done via email, it was suggested that in the future he makes mention of injuries whether sustained or not by either Officer or Subject.

Adherence to the Policy / Conformité aux politiques

Yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

Based on the report it was determined that the force was appropriate, therefore no recommendation for training assistance is required.

Signature & Date

Carmen MANLONGAT

2013/07/02

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

Canada Border
Services AgencyAgence des services
frontaliers du CanadaPROTECTED
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Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
586-4255-13-0004	2013/10/29
Location of Incident / Lieu de l'incident	
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, Brampton	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	, Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne: 1
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Name / Nom:	Badge Number / N° d'insigne:
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Borgia, Fernando, Badge Number / N° d'insigne: 14728	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2013/12/13	2013/12/13
Management Review Completed by / Révision par la gestion complétée par	
Name Nom	Title Titre
Carmen MANLONGAT	Manager - Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Below is a detailed account describing the events of October 29th 2013 as accounted by Officer	
On 29 Oct 2013, myself, my partner , and six other officers attended Brampton.	

the company routinely hires individuals who are wanted by

CBSA or who have no legal status in Canada.

There was also previous enforcement action required at this location. The officer in attendance

were in plain clothes.

I had the opportunity to speak with Officer [REDACTED] and Officer [REDACTED]. Both officers were extremely receptive to the feedback provided to them. It is essential that all officers involved communicate clearly, especially when there are several situational factors at play, including multiple subjects and multiple officers. It is recommended that a frisk of the subject be done before placing him into the vehicle. If no search is conducted this should be communicated to all parties involved so that one can be done when safe.

Adherence to the Policy / Conformité aux politiques

yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

Based on the reports and debrief it was determined that the force was appropriate, therefore no recommendations for training assistance is required

Signature & Date

Carmen MANLONGAT

2013/12/13

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

It is the Policy of the CBSA to collect information on the details of any use of force incident. This will provide the CBSA with information on the types and frequency of these incidents. It will also enable the CBSA to make important decisions regarding the safety and security of staff and ongoing training needs. The information collected on this form is protected and may be disclosed to internal or external bodies as consistent use, or pursuant to other provisions listed under section 8(2) of the Privacy Act <http://laws-lois.justice.gc.ca/eng/acts/P-21/index.html>. The information is held in CBSA Bank PIB PPU 012. Further explanations about the information contained in the Bank may be found in the Info Source guide located in public libraries, or online at <http://www.infosource.gc.ca>.

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident																
	2014/01/13																
Location of Incident / Lieu de l'incident																	
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, Toronto, On																	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)																	
Name / Nom:	Badge Number / N° d'insigne:																
Witnesses (if any) / Témoins (si applicable)																	
Technical Review Completed by / Revue technique effectuée par																	
Name / Nom: Mohamad MOHTADI, Badge Number / N° d'insigne: 13088																	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu																
2014/03/20	2014/08/26																
Management Review Completed by / Révision par la gestion complétée par																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Name / Nom: David Harris</td> <td>Title / Titre: Manager Use of Force Policy Unit, Arming Division</td> </tr> <tr> <td>Name / Nom: Nigel Suarez</td> <td>Title / Titre: Program Advisor Use of Force Policy Unit, Arming Division</td> </tr> <tr> <td>Name / Nom: Caroline Joly</td> <td>Title / Titre: Manager: Use of Force Instructor Recruitment and Development Unit, Arming Div</td> </tr> <tr> <td>Name / Nom: Trevor Berg</td> <td>Title / Titre: UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division</td> </tr> <tr> <td>Name / Nom: Kerry Tierney</td> <td>Title / Titre: Program Advisor: Use of Force Development and Design, Arming Division</td> </tr> <tr> <td>Name / Nom: Zrinka Barisic</td> <td>Title / Titre: Senior Program Advisor; Investigations, Enforcement and Intelligence Programs Directorate</td> </tr> <tr> <td>Name / Nom: Tracy Burtt</td> <td>Title / Titre: Manager, Investigations, Enforcement and Intelligence Programs Directorate</td> </tr> <tr> <td>Name / Nom: Carolyn Pawluk</td> <td>Title / Titre: Program Advisor: Use of Force Policy Unit, Arming Division</td> </tr> </table>		Name / Nom: David Harris	Title / Titre: Manager Use of Force Policy Unit, Arming Division	Name / Nom: Nigel Suarez	Title / Titre: Program Advisor Use of Force Policy Unit, Arming Division	Name / Nom: Caroline Joly	Title / Titre: Manager: Use of Force Instructor Recruitment and Development Unit, Arming Div	Name / Nom: Trevor Berg	Title / Titre: UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division	Name / Nom: Kerry Tierney	Title / Titre: Program Advisor: Use of Force Development and Design, Arming Division	Name / Nom: Zrinka Barisic	Title / Titre: Senior Program Advisor; Investigations, Enforcement and Intelligence Programs Directorate	Name / Nom: Tracy Burtt	Title / Titre: Manager, Investigations, Enforcement and Intelligence Programs Directorate	Name / Nom: Carolyn Pawluk	Title / Titre: Program Advisor: Use of Force Policy Unit, Arming Division
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Name / Nom: Tracy Burtt	Title / Titre: Manager, Investigations, Enforcement and Intelligence Programs Directorate																
Name / Nom: Carolyn Pawluk	Title / Titre: Program Advisor: Use of Force Policy Unit, Arming Division																
Synopsis of the Complete Incident / Synopsis de l'incident complet																	
On January 13, 2014 at approximately 09:00hrs, Officer conducted a Joint Forces Operation with members of the Immigration Task Force which included six RCMP officers, to execute an Immigration Warrant on two subjects:																	

has a criminal record in the United States which includes Forgery, Driving Under the Influence, Probation Violation, Failure to Appear, Financial Identity Fraud and Previous Deportation.

has a conviction in the United States for Bank Fraud. He has served jail time and had been previously deported back to Nigeria.

Adherence to the Policy / Conformité aux politiques

The Committee finds that:

Based on the risk assessment considered in conjunction with the review made by a Use of Force Trainer, the Committee finds that the drawing of the officer's duty firearm was reasonable for the situation and in line with the CBSA Use of Force Policy and Arming Training.

Overall Comments and Recommendations / Commentaires globaux et recommandations

The Committee recommends that:

IEO should review DFC Lesson 8: Review of the Incident Management Intervention Model and the Guidelines for

Completing the BSF586 Use of Force Incident Report Narrative that are on Atlas to ensure better articulation that more thoroughly justifies the necessity of drawing ones duty firearm to the low ready in any future incidents of this nature.

Signature & Date

David HARRIS

2014/08/26

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

It is the Policy of the CBSA to collect information on the details of any use of force incident. This will provide the CBSA with information on the types and frequency of these incidents. It will also enable the CBSA to make important decisions regarding the safety and security of staff and ongoing training needs. The information collected on this form is protected and may be disclosed to internal or external bodies as consistent use, or pursuant to other provisions listed under section 8(2) of the Privacy Act <http://laws-lois.justice.gc.ca/eng/acts/P-21/index.html>. The information is held in CBSA Bank PIB PPU 012. Further explanations about the information contained in the Bank may be found in the Info Source guide located in public libraries, or online at <http://www.infosource.gc.ca>.

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
-----	2014/01/17
Location of Incident / Lieu de l'incident	Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, outside Hamilton Ontario
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	Name / Nom: Badge Number / N° d'insigne: Name / Nom: Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Decaire, Percy, Badge Number / N° d'insigne: 15569	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/02/03	2014/02/03
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Carmen MANLONGAT	Title Titre Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Positive CPIC, outstanding Warrant for Removal from Canada. No criminality, ICES negative, FOSS ID failed CR, litigatio denied, failed to report for removal 27 Mar 2009 from LBPIA. Negative PRRA, negative Spousal Sponsorship. No known drivers license, no known vehicles. Subject arrested at his current residence of Hamilton Ontario	

Adherence to the Policy / Conformité aux politiques

yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

No recommendation for training assistance required as it was determined that the force used was appropriate.

Signature & Date

Carmen MANLONGAT

2014/02/03

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/01/29
Location of Incident / Lieu de l'incident	
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, in flight	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoin(s) (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Decaire, Percy, Badge Number / N° d'insigne: 15569	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/03/17	2014/03/17
Management Review Completed by / Révision par la gestion complétée par	
Name Nom: Carmen MANLONGAT	Title Titre: Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
<p>Myself, and Officer were assigned to the escorted removal of o Guyana on 28 January 2014 on flight BW607 Caribbean Airlines departing LBPIA leaving approximately 23:00hrs and arriving in Guyana at 05:30hrs the following day. The incident took place while in flight once the plane had reached cruising altitude at the rear of the aircraft at the most rear seats. The subject had an extensive criminal history with, Mischief, Threaten Death, Assault with weapon, Assault peace officer convictions which are some of the reasons he was being escorted.</p> <p>Pre-Escort interview;</p>	

Technical Soundness / Validité technique

Both officers were very receptive and appreciative to the feed back provided to them. Tactical considerations were provided with respect to strategic positioning. The importance of good officer presence was stressed when identifying a change in subject's demeanor. Response options were reviewed when identifying verbal and non-verbal indicators from the subject. The significance of Pre-Transport Preparation was stressed not only when dealing with the subject but with friends and associates of the subject.

Adherence to the Policy / Conformité aux politiques

Yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

Based on the debrief and reports it was determined that the force was appropriate, therefore no recommendation for training assistance is required.

Signature & Date

Carmen MANLONGAT

2014/03/17

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/05/05
Location of Incident / Lieu de l'incident	
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, Toronto, Ontario	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Decaire, Percy, Badge Number / N° d'insigne: 15569	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/06/13	2014/06/13
Management Review Completed by / Révision par la gestion complétée par	
Name Nom	Title Titre
Carmen MANLONGAT	Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Warrant for removal – information received he is living at Toronto On May 5th, 2014 I was assigned to the road investigations unit at the Enforcement and Intelligence Operations Division. I was previously assigned the warrant file of I also note that Toronto, Ontario is a high crime building and extreme caution should always be taken.	

Technical Soundness / Validité technique

Only two officer were able to attend today's debrief, both officers were very receptive to the feedback provided. It was recommended that next time if faced with that many people in the elevator, the officers should try to limit the number of people in the elevator in the interest of officer safety.

Adherence to the Policy / Conformité aux politiques

yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

Based on the debrief and reports it was determined that the force was appropriate, therefore no recommendation for training assistance is required.

Signature & Date

Carmen MANLONGAT

Signature

2014/06/13

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/07/01
Location of Incident / Lieu de l'incident	
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, Immigration Holding Centre	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Grant, Adam, Badge Number / N° d'insigne: 19437	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/07/29	2014/07/29
Management Review Completed by / Révision par la gestion complétée par	
Name Nom: Carmen MANLONGAT	Title Titre: Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Synopsis formulated from Officers Use of Force Reports and Debrief:	
On July 1, 2014 Inland Enforcement Officers were assigned to transport a subject from the Immigration Holding Centre (IHC) to a flight departing from Pearson International Airport. The subjects removal from Canada was to be under escort by Air Canada Escort Officers.	
Upon arrival at the IHC it was observed by the officers that the subject was located in a secure room seated on a bench. In speaking with him they determined that the subject was adamant that he did not want to leave Canada. Officers also observed that the subject was grasping tightly to the bench on which he was seated. The officers were unable to achieve any cooperation from the subject by verbal request.	

After discussion with Air Canada and Inland Enforcement management it was decided that the subject would not be transported

to the airport for removal and would instead be taken to the Maplehurst Correctional Complex (Provincial Jail) to be detained. The Officers transported the subject to the jail where custody was transferred to Correctional Officers.

Adherence to the Policy / Conformité aux politiques

yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

No recommendations for training given that the force used was appropriate.

Signature & Date

Carmen MANLONGAT

Signature

2014/07/29

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2014/07/29		
Location of Incident / Lieu de l'incident			
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, Toronto Ontario			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoin(s) (si applicable)			
N/A			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: Mohtadi, Mohamad, Badge Number / N° d'insigne: 13088			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2014/10/06	2014/10/30		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Nigel Suarez	Title Titre	A/Manager: Use of Force Policy Unit, Arming Division
Name Nom	Steve Durocher	Title Titre	Manager , Officer Induction and Enforcement Unit, Learning Design Solutions Division
Name Nom	Caroline Joly	Title Titre	A/Manager: Use of Force Instructor Recruitment and Development Unit, Arming Division
Name Nom	Zrinka Barisic	Title Titre	A/Senior Program Advisor; Investigations, Enforcement and Intelligence Programs Directorate
Name Nom	Sharon spicer	Title Titre	Manager, Investigations Program Management, Enforcement and Intelligence Programs Directorate
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer: Use of Force Policy Unit, Arming Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On July 29th, 2014, at approximately 12:50hrs,		was arrested for removal from Canada under the Immigration and Refugee Protection Act. The arrest took place outside of his residence located on _____ by the Immigration Task Force, a joint force operation consisting of members of the RCMP and CBSA Toronto Inland Investigations and Removals.	

The Committee finds that the drawing and the pointing of the duty firearm by Officer [REDACTED] was in-line with CBSA policy and was proportional and appropriate to the situation.

The Committee finds that the amount of force used by Officer [REDACTED] was in-line with CBSA policy and was proportional and appropriate to the situation.

Overall Comments and Recommendations / Commentaires globaux et recommandations

The committee recommends:

- 1) That due to the lack of congruity between a high risk assessment and the tactics of the officers, all officers review Lesson 08 – Review of IMIM in order to strengthen their legal articulation and review how to conduct a thorough risk assessment.
- 2) That Officer [REDACTED] may have used tactics that put the other officer in his arc of fire, all officers review Lesson 10, Contact/Cover Roles and Tactical Communication, in order to review arcs of fire, officer positioning and communication.
- 3) As officers used tactics that were not consistent with a high risk assessment, all officers review Lesson 16, High Risk Vehicle Extraction, in order to familiarize themselves with high risk vehicle extraction techniques.

Signature & Date

Nigel SUAREZ

Signature

2014/10/30

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/12/15
Location of Incident / Lieu de l'incident	
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, Mississauga	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	ONZIANI, Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne
Name / Nom:	Badge Number / N° d'insigne
Name / Nom:	Badge Number / N° d'insigne
Witnesses (if any) / Témoins (si applicable)	
Name / Nom:	, Badge Number / N° d'insigne:
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Decaire, Percy, Badge Number / N° d'insigne: 15569	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/10/09	2015/10/09
Management Review Completed by / Révision par la gestion complétée par	
Name Nom	Title Titre
Carmen MANLONGAT	Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Synopsis of the Incident as per Officer .	
On Tuesday, December 15,2014 I was assigned to the ground crew to transport from Central East Correctional Centre	
Officers (CECC) in Lindsay, Ontario to private hangars at Pearson Airport. Other members of this transport team were Officers and Enforcement Supervisor Subject was scheduled for removal from	
Canada by chartered aircraft departing from LBPIA Toronto International Airport on 15DEC2014 at 15:15hrs. He was previously scheduled for removal from Canada on 15OCT2013 but was removed from the aircraft by numerous CBSA Officers under direction from the flight crew for causing a disturbance and for using aggressive behaviour on board a commercial aircraft in the presence of members of the traveling public. The subject has remained in custody at a provincial correctional institution between removal attempts.	
When the removals officer served the subject with his direction to report by telephone, the subject hung up on the officer before	

the conversation was completed.

With the assistance of numerous officers the subject was restrained and he was able to be successfully boarded onto the aircraft and secured in a seat.

The flight departed from the tarmac at approximately 15:19 hrs with the subject on board with four CBSA officers, two flight crew and a medical nurse.

Adherence to the Policy / Conformité aux politiques

yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

No recommendation for training required.

Signature & Date

Carmen MANLONGAT

2015/10/09

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/02/18
Location of Incident / Lieu de l'incident	Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, LBPIA T1
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	Name / Nom: Badge Number / N° d'insigne: Name / Nom: Badge Number / N° d'insigne Name / Nom: Badge Number / N° d'insigne: Name / Nom: Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	Name / Nom: Grant, Adam, Badge Number / N° d'insigne: 19437
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/08/14	2015/08/14
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Carmen MANLONGAT	Title Titre Manager , Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	Synopsis formulated from Officers Use of Force Reports: On February 18, 2015 Inland Enforcement Officers (5) from the Greater Toronto Area EIOD along with Border Services Officers (2) from Pearson International Airport were involved in a Use of Force Incident while attempting to facilitate the escorted removal of a subject from Canada.

The rigid handcuffs to the front were reapplied to the subject and he was transported to the gate where the flight was scheduled to depart. While waiting to board the flight the Officer's noted that the subject began to gag and spit, he stood up from the wheelchair, he began screaming and attempted to wrestle away from the grips of Officers. At that point Officers took the subject down to the ground where he continued to struggle. As this was occurring the flight crew informed the Officers that the subject was being denied boarding. Once informed that he would not be flying the subject calmed down and was transported in the wheelchair to a vehicle and subsequently to the Maplehurst Correctional Complex without any further incident.

Adherence to the Policy / Conformité aux politiques

yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

No recommendations for training.

Signature & Date

Carmen MANLONGAT

2015/08/14

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/03/02
Location of Incident / Lieu de l'incident	
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals,	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Decaire, Percy, Badge Number / N° d'insigne: 15569	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/10/09	2015/10/09
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Carmen MANLONGAT	Title Titre Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
As per officer	
was subject to a Canada wide warrant for Immigration violations. Subject is currently facing outstanding charges of assault x 3, mischief, threaten death x2 and assault with a weapon (knife). Subject is known to reside in Toronto, Ontario. His address on the conditions imposed by the Immigration and Refugee Board is Brampton, Ontario. is also subject to a Canada wide Immigration warrant as he failed to appear for an interview. He has convictions for assault x3 from 2006.	

Compliance to the Policy / Conformité aux politiques

586-4255-15-0004

Printed On - Imprimer le: 2017/11/21 12:04

Yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

It is the trainers opinion that based on the feedback provided to the officers that they understood that some of the tactics used on this vehicle block could use some improvement, but we do not see the needs for further training at this time.

Signature & Date

Carmen MANLONGAT

2015/10/09

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/03/16
Location of Incident / Lieu de l'incident	
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, FLIGHT KL692 AT LBPIA T3 IN TORONTO	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Frimpong, Michael, Badge Number / N° d'insigne: 14717	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/08/14	2015/08/17
Management Review Completed by / Révision par la gestion complétée par	
Name Nom: Carmen MANLONGAT	Title Titre: Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Below is the account of the Incident as per the officer's involved:	
DETAINED ESCORT TO NIGERIA WITH TRANSIT IN AMSTERDAM DEPARTURE: MON16MAR2015 @ 19:30 VIA KL692 FROM LESTER B. PEARSON INTERNATIONAL AIRPORT (LBPIA)	
ESCORT OFFICERS: MEET OFFICERS: IEO DART OFFICER:	
PC (person concerned): /	
DOB:	
POB:	
DESCRIPTION:	
CRIMINALITY: NONE KNOWN.	
MEDICAL: NONE KNOWN.	
IMMIGRATION:	

Adherence to the Policy / Conformité aux politiques

Yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

N/A

Use of force is consistent with the I.M.I.M.

Signature & Date

Carmen MANLONGAT

Signature

2015/08/17

Date



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/06/22
Location of Incident / Lieu de l'incident	
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, Brampton, ON	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoin(s) (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Jami MOORE, Badge Number / N° d'insigne: 16948	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/09/01	2015/09/22
Management Review Completed by / Révision par la gestion complétée par	
Name Nom: Nigel SUAREZ	Title Titre: A/Manager : Use of Force Policy Unit, Arming Division
Name Nom: Dave Harris	Title Titre: Manager : Use of Force Policy Unit, Arming Division
Name Nom: Caroline Joly	Title Titre: A/Manager: Use of Force Instructor Recruitment and Development Unit, Arming Division
Name Nom: Zrinka Barisic	Title Titre: A/Manager; Investigations, Enforcement and Intelligence Programs Directorate
Name Nom: Julie Boileau-Bradette	Title Titre: Team Leader, OITP and Use of Force Unit, Learning Design Solutions Division
Name Nom: Trevor Berg	Title Titre: UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division
Name Nom: Kerry Tierney	Title Titre: Senior Program Officer: Use of Force Policy Unit, Arming Division
Name Nom: Jami Moore	Title Titre: UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division
Name Nom: Cathy Christenson	Title Titre: UOF/Firearms Instructor ,Use of Force Instructor Recruitment and Development Unit, Arming Division
Synopsis of the Complete Incident / Synopsis de l'incident complet	
The person concerned	had an outstanding Warrant for his arrest, for a Minister's

Delegate Review. Subject has a long history with CBSA (Immigration) and was previously arrested by the ITF for being inadmissible to Canada for serious criminal convictions in the United States of America. He was deported from Canada in July of 2013 but returned to Canada at an unknown date and time never having received permission to return. A warrant was issued for his arrest in order that he be brought before a Minister's Delegate.

His criminal history involved violence and weapons, including firearms. He was convicted in the US of Criminal Possession of a Weapon - loaded, Unlawful Imprisonment - 1st degree, Firearms offenses, robbery & forcible theft armed with a deadly weapon. Subject served a four year term of imprisonment before being deported back to Jamaica. When he was previously arrested by the ITF, he was involved in drug dealing, specifically cocaine. He was also known to associate with a number of persons of interest to Peel Police believed to be involved in drug dealing.

Adherence to the Policy / Conformité aux politiques

The committee finds that the drawing of the duty firearm to the low ready by Officer [REDACTED] and the drawing and pointing by Officer [REDACTED] was proportional, appropriate and in-line with CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

None

Signature & Date

Nigel SUAREZ

Signature

2015/09/22

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Canada Border Services Agency

Agence des services frontaliers du Canada

PROTECTED
PROTÉGÉ

B

when completed
une fois rempli

Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2015/12/17		
Location of Incident / Lieu de l'incident			
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, Ontario			
Vaughan,			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2017/03/24			
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Nigel SUAREZ	Title Titre	A /Manager : Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer : Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On December 17th 2015 in the Greater Toronto Region – Inland Investigation & Removals, information was received by way of a Border Watch Line Tip regarding foreign nationals working in Canada at . A group of Officers were assembled to conduct a workplace compliance check at Vaughan, Ontario.			

Adherence to the Policy / Conformité aux politiques

The soft physical control techniques used by Officer _____ in order to control the resistant behavior displayed by the male subject is considered necessary, reasonable and supported by CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no training recommendations stemming from this incident.

Signature & Date

Nigel SUAREZ

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2016/03/21		
Location of Incident / Lieu de l'incident			
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, 6900 Airport Road Mississauga			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2017/05/16	2017/05/24		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager, Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor/ Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On 21st March 2016 at approximately 09:00hrs Officer [REDACTED] encountered the subject; [REDACTED] in interview room #3 of the Inland Enforcement Office at 6900 Airport Road in Mississauga to have the subject sign some paperwork, specifically a direction to report.			
Upon entering interview room #3 Officer [REDACTED]		noticed that the subject had placed her belongings on the stools and she was standing at the back of the room. Officer [REDACTED] informed the subject that she would be conducting the interview and not the regular officer. The subject was visibly upset and started shouting and making comments. The subject seemed frantic and was making hand gestures and comments stating she had had enough and did not know what officers wanted from her.	
Officer [REDACTED]		tried to use verbal instructions to clarify what the subject was saying and trying to de-escalate the situation but the subject continued shouting. Officer [REDACTED] opened the door and entered to assist. Officer [REDACTED] began to talk to the subject and at some point the subject revealed she had a knife which appeared to be about 5-7 inches in length. There is a barrier in the interview room which separates the general public from the officer while conducting interviews, so there was a barrier between the two officers and the subject.	

Adherence to the Policy / Conformité aux politiques

The use of low risk soft physical controls to deal with the armed subject in this incident increased officer risk, went against the Incident Management Intervention Model and is not supported by CBSA Use of Force Policy or training.

Overall Comments and Recommendations / Commentaires globaux et recommandations

DUE to Officer [REDACTED] action of moving in towards an armed subject was contrary to CBSA arming training, policy and had the potential of significant injury and risk to officer safety, it is recommended that he undergo a debrief session with a CBSA Use of Force Instructor to discuss suitable response options to deal with a subject armed with edged weapons that ensures officer safety and consistent with training.

Signature & Date

David HARRIS

2017/05/24

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

It is the Policy of the CBSA to collect information on the details of any use of force incident. This will provide the CBSA with information on the types and frequency of these incidents. It will also enable the CBSA to make important decisions regarding the safety and security of staff and ongoing training needs. The information collected on this form is protected and may be disclosed to internal or external bodies as consistent use, or pursuant to other provisions listed under section 8(2) of the Privacy Act <http://laws-lois.justice.gc.ca/eng/acts/P-21/index.html>. The information is held in CBSA Bank PIB PPU 012. Further explanations about the information contained in the Bank may be found in the Info Source guide located in public libraries, or online at <http://www.infosource.gc.ca>.

L'ASFC a pour politique de recueillir de l'information sur les détails de tout incident relatif au recours à la force. Cette pratique permettra à l'ASFC de rassembler des informations sur les types et la fréquence des incidents. Elle permettra également à l'ASFC de prendre des décisions importantes en matière de sécurité et de protection en lien avec le personnel et les besoins de la formation continue. L'information recueillie dans ce formulaire est protégée et peut être communiquée à des organismes internes ou externes selon un usage compatible ou en vertu d'autres dispositions énoncées au paragraphe 8(2) de la Loi sur la protection des renseignements personnels <http://laws-lois.justice.gc.ca/fra/lois/P-21/index.html>. L'information est conservée dans un fichier de l'ASFC PIB PPU 012. Des explications complémentaires sur l'information conservée dans ce fichier figurent dans le guide Info Source, disponible dans les bibliothèques, ou dans le site Internet d'Info Source <http://www.infosource.gc.ca>.

Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2016/03/28
Location of Incident / Lieu de l'incident	
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, LBPIA, T1, Transport	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
NA	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Tierney, Kerry, Badge Number / N° d'insigne: 0000	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2017/06/08	2017/06/16
Management Review Completed by / Révision par la gestion complétée par	
Name Nom David Harris	Title Titre Manager, Defensive Tactics Program Division
Name Nom Trevor Berg	Title Titre UOF Instructor / Senior Program Officer, Defensive Tactics Use of Force Policy Unit
Name Nom Kerry Tierney	Title Titre Senior Program Officer, Defensive Tactics Use of Force Policy Unit
Synopsis of the Complete Incident / Synopsis de l'incident complet	
<p>On March 28th 2016 Officers encountered the subject i</p> <p>The subject had a removal order and was scheduled to depart Canada on this date at Pearson International Airport (PIA), Terminal One (T1), on Air Canada #31 to China. The subject was being housed at the Vanier Detention Centre. She had no known criminal record, but was transferred to a Provincial Facility from the Immigration Holding Centre due to her behaviour. Subject had made self-harm threats and has smashed her head and body on walls and floors. She had made it very clear from notes to file, and her previous attempted removal that she does not want to leave Canada and will attempt anything, including self-harm to thwart CBSA's efforts to remove her.</p>	

Conformity / Conformité aux politiques

The decision by Officers justified, proportional and supported by CBSA Use of Force policy and training. to use force to carry the highly resistant subject is considered

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no recommendations resulting from this incident.

Signature & Date

David HARRIS

Signature

2017/06/16

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2016/06/07
Location of Incident / Lieu de l'incident	
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, Various	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
NA	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Tierney, Kerry, Badge Number / N° d'insigne: 0000	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2017/06/08	2017/06/16
Management Review Completed by / Révision par la gestion complétée par	
Name / Nom: David Harris	Title / Titre: Manager, Defensive Tactics Program Division
Name / Nom: Trevor Berg	Title / Titre: UOF Instructor/ Senior Program Officer, Defensive Tactics Use of Force Policy Unit
Name / Nom: Kerry Tierney	Title / Titre: Senior Program Officer, Defensive Tactics Use of Force Policy Unit
Synopsis of the Complete Incident / Synopsis de l'incident complet	
<p>On June 7th 2016, officers arrived at Toronto East Detention Centre to transport the PC to Pearson Airport – Terminal 1 for an escorted removal of the subject back to Gambia. Officer waited in the sally port area of Toronto East with the 2 transport vehicles (both Dodge Caravans), while Officers entered the jail to take custody of the subject and his belongings. While in the Admission and Discharge area of Toronto East, observed Officer speaking with the subject, searching the subject and applying transport handcuffs in a cooperative manner to prepare for the ride to the airport. took the subject's property. The subject was cooperative at that point.</p> <p>As the group were walking into the sally port of Toronto East, the subject's demeanour changed.</p>	

Adherence to the Policy / Conformité aux politiques

The actions by officers
and in line with CBSA Use of Force policy and training.

to use soft physical in this situation is considered justified

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no recommendations resulting from this incident.

Signature & Date

David HARRIS

2017/06/16

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2016/10/12
Location of Incident / Lieu de l'incident	Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, On Board Caribbean Airlines Plane at Gate C35 at Toronto Pearson International Airport Terminal 3.
Officer(s) Directly Involved / Agent(e)s(s) directement impliqué(e)s(s)	Name / Nom: Badge Number / N° d'insigne: Name / Nom: Badge Number / N° d'insigne: Name / Nom: Badge Number / N° d'insigne: Name / Nom: Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	NA
Technical Review Completed by / Revue technique effectuée par	Name / Nom: Tierney, Kerry, Badge Number / N° d'insigne: 0000
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2017/10/23	2017/10/30
Management Review Completed by / Révision par la gestion complétée par	Name / Nom: David Harris Title: Manager, Use of Force Policy Unit, Defensive Tactics Program Division Name / Nom: Trevor Berg Title: UOF Instructor / Senior Program Officer, Use of Force Policy Unit Name / Nom: Kerry Tierney Title: Senior Program Officer, Use of Force Policy Unit
Synopsis of the Complete Incident / Synopsis de l'incident complet	On 07 October 2016, BSO _____ were assigned to the escorted removal of _____ to Port of Spain, Trinidad, scheduled for 12 October 2016 at 0910 hrs on Caribbean Airlines Flight 603. At that time they were informed that of the following background information on the subject. On 11 October 2016, _____ was removed from his detention review because he refused to cooperate with the proceedings. _____ was transferred from the Central East Correctional Centre to the Wet Cells at the Toronto Immigration Holding Centre on 11 October 2016 with medication for mental health issues.

BSO

contacted the subject prior to the flight to let him know the details of his departure. The subject clearly stated that

he did not intend to leave Canada.

Adherence to the Policy / Conformité aux politiques

The decision by BSOs to use soft physical controls and pain compliance techniques in this situation is considered reasonable and supported by CBSA Use of Force policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no recommendations resulting from this incident.

Signature & Date

David HARRIS

2017/10/30

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Canada Border Services Agency

Agence des services frontaliers du Canada

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Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

It is the Policy of the CBSA to collect information on the details of any use of force incident. This will provide the CBSA with information on the types and frequency of these incidents. It will also enable the CBSA to make important decisions regarding the safety and security of staff and ongoing training needs. The information collected on this form is protected and may be disclosed to internal or external agencies as consistent use, or pursuant to other provisions listed under section 8(2) of the Privacy Act <http://laws-lois.justice.gc.ca/eng/acts/P-21/index.html>. The information is held in CBSA Bank PIB PPU 012. Further explanations about the information contained in the Bank may be found in the Info Source guide located in public libraries, or online at <http://www.infosource.gc.ca>.

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2017/04/18
Location of Incident / Lieu de l'incident	
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals,	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
NA	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Tierney, Kerry, Badge Number / N° d'insigne: 0000	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2017/10/24	2017/10/30
Management Review Completed by / Révision par la gestion complétée par	
Name Nom David Harris	Title Titre Manager, Use of Force Policy Unit, Defensive Tactics Program Division
Name Nom Trevor Berg	Title Titre UOF instructor / Senior Program Officer, Use of Force Policy Unit
Name Nom Kerry Tierney	Title Titre Senior Program Officer, Use of Force Policy Unit
Synopsis of the Complete Incident / Synopsis de l'incident complet	
On 18 April 2017, IEOs subject, reported to immigration officials.	attended Toronto, Ontario, a residential address where the was believed to reside. This address is not one previously

Adherence to the Policy / Conformité aux politiques

The decision by IEOs to use soft physical controls in this situation is considered reasonable, proportional and supported by CBSA Use of Force Policy. The decision not to frisk the subject following arrest is not in line with CBSA policy as noted above.

Overall Comments and Recommendations / Commentaires globaux et recommandations

The search of all arrested or detained subjects is CBSA standard operating procedure. Omitting this step may put officers, the public and the subject at potential risk. It is therefore important that IEO officer's be reminded of their requirement to frisk all persons arrested or detained as per policy as well as all persons prior to transport as per agency policy. Or if the frisk/search was completed, that this procedure be noted in their report in future.

Signature & Date

David HARRIS

Signature

2017/10/30

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident	
	2017/04/28	
Location of Incident / Lieu de l'incident		
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals,	Toronto	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)		
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne	
Name / Nom:	Badge Number / N° d'insigne	
Witnesses (if any) / Témoins (si applicable)		
na		
Technical Review Completed by / Revue technique effectuée par		
Name / Nom: Tierney, Kerry, Badge Number / N° d'insigne: 0000		
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu	
2017/10/30	2017/10/30	
Management Review Completed by / Révision par la gestion complétée par		
Name Nom David Harris	Title Titre	Manager, Defensive Tactics Program Division - Use of Force Policy Unit
Name Nom Trevor Berg	Title Titre	UOF Instructor / Senior Program Officer - Use of Force Policy Unit
Name Nom Kerry Tierney	Title Titre	Senior Program Officer - Use of Force Policy Unit
Synopsis of the Complete Incident / Synopsis de l'incident complet		
An immigration warrant was issued for at 6900 Airport Rd, Mississauga on Monday February 27th, 2017. multiple convictions in Canada including a conviction for robbery, possession of a prohibited firearm and possession of a schedule 1 substance. He also has recent withdrawn charges for assault, assault w/ a weapon and uttering threats stemming from a domestic incident where he allegedly brandished a firearm.	after he failed to appear for a pre-removal interview was deemed to be a high risk target as he has	

Adherence to the Policy / Conformité aux politiques

The decision by IEO to draw his duty firearm to the low ready in this situation is considered prudent and supported by CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no recommendations stemming from this incident.

Signature & Date

David HARRIS

Signature

2017/10/30

Date



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2017/06/02		
Location of Incident / Lieu de l'incident			
Greater Toronto, Greater Toronto Area - Inland Investigations & Removals, Ontario			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
NA			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: Tierney, Kerry, Badge Number / N° d'insigne: 0000			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2017/10/30	2017/10/30		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David HARRIS	Title Titre	Manager, Defensive Tactics Program Division- Use of Force Policy Unit
Name Nom	Trevor Berg	Title Titre	UOF Instructor / Senior Program Officer- Use of Force Policy Unit
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer- Use of Force Policy Unit
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On Friday June 2nd 2016, CBSA Officers along with RCMP Officers attended Ontario in order to arrest the subject. The subject had an outstanding warrant for his arrest in regards to IRPA violations.			

Adherence to the Policy / Conformité aux politiques

The decision by IEOs

to use soft physical controls in this situation is considered justified

and supported by CBSA Use of Force policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

These are no recommendations resulting from this incident.

Signature & Date

David HARRIS

2017/10/30

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/09/04
Location of Incident / Lieu de l'incident	
Greater Toronto, Pearson International Airport - Terminal 3, TPIA, Terminal 3 Immigration Secondary	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Jami MOORE, Badge Number / N° d'insigne: 16948	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/12/08	2015/12/08
Management Review Completed by / Révision par la gestion complétée par	
Name Nom	Title Titre
Nigel SUAREZ	(Acting) Manager : Use of Force Policy Unit, Arming
Synopsis of the Complete Incident / Synopsis de l'incident complet	
On September 3, 2015, [redacted] arrived in Toronto on EI AI flight LY031. After being processed through the Primary Inspection Line, she was referred to Immigration Secondary for further examination. She was found inadmissible to Canada pursuant to the Immigration and Refugee Protection Act. During examination, evidence suggested that the Subject may suffer from some type of mental illness or other disorder. The Subject was not always coherent, and did not appear to listen to some of what the Officers had to say.	
A 44 report was written and reviewed. At this time, the Subject continued to act erratically and in unpredictable ways. She spoke without any breaks about unrelated topics, and often repeated herself. Through conversation with the Subject, it appeared that she did understand the process and was very aware that she was being denied entry to Canada. However, the Subject continuously attempted to get up and walk away from the Officers. BSO [redacted] arrested the Subject and detained her, affording her all of the rights under the Canadian Charter of Rights and Freedoms and the Vienna Convention as he felt she would not appear for examination.	

Adherence to the Policy / Conformité aux politiques

The soft empty hand techniques used by Superintendent and BSO are considered reasonable, proportional and in-line CBSA use of force policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

None

Signature & Date

Nigel SUAREZ

Signature

2015/12/08

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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L'ASFC a pour politique de recueillir de l'information sur les détails de tout incident relatif au recours à la force. Cette pratique permettra à l'ASFC de rassembler des informations sur les types et la fréquence des incidents. Elle permettra également à l'ASFC de prendre des décisions importantes en matière de sécurité et de protection en lien avec le personnel et les besoins de la formation continue. L'information recueillie dans ce formulaire est protégée et peut être communiquée à des organismes internes ou externes selon un usage compatible ou en vertu d'autres dispositions énoncées au paragraphe 8(2) de la Loi sur la protection des renseignements personnels <http://laws-lois.justice.gc.ca/fra/lois/P-21/index.html>. L'information est conservée dans un fichier de l'ASFC PIB PPU 012. Des explications complémentaires sur l'information conservée dans ce fichier figurent dans le guide Info Source, disponible dans les bibliothèques, ou dans le site Internet d'Info Source <http://www.infosource.gc.ca>.

Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/09/26
Location of Incident / Lieu de l'incident	
Greater Toronto, Pearson International Airport - Terminal 3, TPIA T3 Immigration Secondary	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Grant, Adam, Badge Number / N° d'insigne: 19437	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/12/19	2014/12/19
Management Review Completed by / Révision par la gestion complétée par	
Name Nom	Title Titre
Carmen MANLONGAT	Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Synopsis formulated from the Use of Force Incident Reports and discussion with Officers involved:	
<p>The subject had entered Canada on September 26, 2014 and was detained under the Immigration and Refugee Protection Act (IRPA) after he had voluntarily withdrawn his application to enter Canada. The subject was present in the CBSA Immigration area at Toronto Pearson airport along with contracted security guards from G4S security who had arrived to transport him to the Immigration Holding Centre. The security guards made it known to Supt. [redacted] that the subject was refusing to allow the Security Guards to document and catalogue the items which were in his possession. Supt. [redacted] attended the area where the subject and security were located and observed that the seated subject was in possession of currency which he put into a pocket in his jacket and then picked up a knapsack from the ground and held it by folding his arms across it. Supt. [redacted] engaged the subject in conversation and gave several commands to the subject to release the knapsack and remove his jacket. The subject verbally refused to comply with these commands citing concerns about the currency in his possession.</p>	

Adherence to the Policy / Conformité aux politiques

Yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

No recommendations for training.

Signature & Date

Carmen MANLONGAT

Signature

2014/12/19

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/10/14
Location of Incident / Lieu de l'incident	
Greater Toronto, Pearson International Airport - Terminal 3, Terminal 3 Immigration Office	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoin(s) (si applicable)	
Name / Nom:	Badge Number / N° d'insigne:
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Borgia, Fernando, Badge Number / N° d'insigne: 14728	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/10/07	2015/10/07
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Carmen MANLONGAT	Title Titre Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
<p>Below is a detailed account of events as described by officer</p> <p style="text-align: right;">Subject was</p> <p>interviewed upon disembarkation and he was visibly angry and displayed passive aggressive behaviour. He was shouting at at the gate and insisted that he was a British citizen and that his rights were being violated. He presented a British driver's licence that was determined to be fraudulent.</p>	

Adherence to the Policy / Conformité aux politiques

yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

Based on the Officers written reports it was determined that the force applied was appropriate and therefore no

recommendations for training assistance is required.

Signature & Date

Carmen MANLONGAT

Signature

2015/10/07

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Canada Border Services Agency

Agence des services frontaliers du Canada

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PROTÉGÉ

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Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident	
	2014/05/23	
Location of Incident / Lieu de l'incident		
Greater Toronto, Pearson International Airport - Terminal 3, TPIA T3 Immigration Secondary		
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)		
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne:	
Witnesses (if any) / Témoins (si applicable)		
Technical Review Completed by / Revue technique effectuée par		
Name / Nom: Borgia, Fernando, Badge Number / N° d'insigne: 14728		
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu	
2014/10/28	2014/10/28	
Management Review Completed by / Révision par la gestion complétée par		
Name Nom	Title Titre	
Carmen MANLONGAT	Manager, Training and Learning	
Synopsis of the Complete Incident / Synopsis de l'incident complet		
Below is a detailed account describing the events of 2014/05/23 as accounted by Officer:		
On May 22, 2014, I was conducting my duties as Superintendent at Immigration Secondary, Terminal 3. At approximately 23:30, while I and Superintendent [REDACTED] were in the Immigration Superintendent's Office, we heard a loud female voice coming from the finger printing room (G165). Superintendent [REDACTED] ran towards the room and found BSOs [REDACTED] in the presence of the Subject, [REDACTED]. I understood from their loud conversation that the Subject did not wish to be fingerprinted. Subject had been detained for examination under the Immigration and Refugee Protection Act.		

Adherence to the Policy / Conformité aux politiques

Yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

Based on the Officers written reports it was determined that the force applied was appropriate and therefore no recommendations for training assistance is required.

Signature & Date

Carmen MANLONGAT

Signature

2014/10/28

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/11/04
Location of Incident / Lieu de l'incident	
Greater Toronto, Pearson International Airport - Terminal 1, TPIA T1, IMMIGRATION SECONDARY	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Decaire, Percy, Badge Number / N° d'insigne: 15569	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/12/17	2014/12/17
Management Review Completed by / Révision par la gestion complétée par	
Name Nom: Carmen MANLONGAT	Title Titre: Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
SUBJECT OF INADMISSIBILITY REPORT UNDER THE IMMIGRATION AND REFUGEE PROTECTION ACT.	
INDOOR, ARTIFICIAL LIGHT, SUBJECT DISTANT 4-5 FEET ACROSS A DESK. SUBJECT SEATED. AT APPROXIMATELY 2200HRS ON 04NOV2014 I WAS ASSIGNED A FILE TO CONDUCT A MINISTER'S DELEGATE REVIEW BY SUPERINTENDANT THE SUBJECT HAD BEEN FOUND INADMISSIBLE TO CANADA BY AN EXAMINING OFFICER AND HAD AN INADMISSIBILITY REPORT WRITTEN AGAINST HIM. MY DUTY WAS TO REVIEW THIS REPORT IN MY FUNCTION AS A MINISTER'S DELEGATE. I PREPARED THE FILE AND WITH THE ASSISTANCE OF AN ACCREDITED MANDARIN INTERPRETER ON SITE PROCEEDED WITH THE REVIEW IN CUBICLE 34, IN THE CBSA IMMIGRATION SECONDARY INTERVIEW AREA. THE SUBJECT WAS PROVIDED WITH A COPY OF THE REPORT AND THE ALLEGATIONS AND BASIS OF THE ALLEGATIONS READ OUT LOUD TO HIM. ONCE THIS WAS COMPLETED, THE SUBJECT WAS GIVEN AN OPPORTUNITY TO ADDRESS THE REPORT AND ALLEGATIONS. THE SUBJECT SUDDENLY BECAME QUITE AGITATED, RAISING HIS VOICE, WAVING HIS ARMS AND MAKING THE STATEMENT THAT HE DOES NOT LIKE THE INTERPRETER. THE SUBJECT REFUSED TO ADDRESS THE ALLEGATIONS AGAINST HIM AND INSTEAD BEGAN TO CLAIM THAT HE DOES NOT UNDERSTAND THE ACCREDITED INTERPRETER (DESPITE HAVING BEEN ASSISTED BY THE SAME INTERPRETER THE ENTIRE NIGHT TO THAT POINT). THE REPORT WAS UPHELD AS VALID AND SUBSISTING AND THE SUBJECT ADVISED THAT HE IS UNDER ARREST WITHOUT WARRANT PURSUANT TO THE AUTHORITY OF A55(2) OF THE ACT.	

Adherence to the Policy / Conformité aux politiques

Yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

Based on the reports it has been determined that the force was appropriate, therefore no recommendation for training is required.

Signature & Date

Carmen MANLONGAT

2014/12/17

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/12/17
Location of Incident / Lieu de l'incident	
Greater Toronto, Pearson International Airport - Terminal 1, TPIA - T1 - IMMIGRATION SECONDARY	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoin(s) (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Grant, Adam, Badge Number / N° d'insigne: 19437	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/02/16	2015/02/16
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Carmen MANLONGAT	Title Titre Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Synopsis formulated from reports submitted by Officers involved:	
On Dec 17, 2014 the subject, was under examination in the Immigration Secondary area of Lester B Pearson International Airport, Terminal 1. Prior to the Principal Officer starting his shift at 16:55 hrs the Superintendent provided information that the subject had been acting in an "unusual manner".	

Adherence to the Policy / Conformité aux politiques

yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

No recommendations for training.

Signature & Date

Carmen MANLONGAT

2015/02/16

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Canada Border
Services Agency

Agence des services
frontaliers du Canada

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Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident	
	2015/03/23	
Location of Incident / Lieu de l'incident		
Greater Toronto, Pearson International Airport - Terminal 1, Immigration Secondary		
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)		
Name / Nom:	Badge Number / N° d'insigne:	
Name / Nom:	Badge Number / N° d'insigne:	
Witnesses (if any) / Témoins (si applicable)		
Technical Review Completed by / Revue technique effectuée par		
Name / Nom: Sharon MURPHY, Badge Number / N° d'insigne: 14904		
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu	
2015/08/31	2015/08/31	
Management Review Completed by / Révision par la gestion complétée par		
Name Nom	Carmen MANLONGAT	Title Titre
Manager, Training and Learning		
Synopsis of the Complete Incident / Synopsis de l'incident complet		
came to the attention of the CBSA on 23MAR2015 when he appeared at the Immigration CBSA reception area of Pearson International Airport, Terminal One seeking a work permit. Information was obtained by the initial examining Officer that and his spouse were in Canada without authorization, and had been working illegally in Canada. Information was also relayed to me that was not being cooperative, as he refused to pay an application fee, and refused to leave the area unless issued a work permit. He also told a female Officer to "Fuck Off" after she directed him to report to the nearest Inland Enforcement office to process his case. The examining Officer reported both and her spouse as being inadmissible to Canada, and I was assigned to review the reports as a Minister's Delegate. At the time I was assigned the review, both subjects were still in the public side of the reception area, and had not been arrested or detained. I completed my review of the subjects as they were still in the public area, and made the decision to arrest both subjects as I did not believe they would appear for their removal from Canada.		

Adherence to the Policy / Conformité aux politiques

yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

no training recommendation or debrief required

Signature & Date

Carmen MANLONGAT

2015/08/31

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/07/16
Location of Incident / Lieu de l'incident	
Greater Toronto, Pearson International Airport - Terminal 1, Toronto Pearson Airport terminal one immigration	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Jami MOORE, Badge Number / N° d'insigne: 16948	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2016/05/27	2016/05/31
Management Review Completed by / Révision par la gestion complétée par	
Name Nom David Harris	Title Titre Manager : Use of Force Policy Unit, Arming Division
Name Nom Kerry Tierney	Title Titre Senior Program Advisor : Use of Force Policy Unit, Arming Division
Name Nom Jami Moore	Title Titre UOF/Firearms Instructor:
Synopsis of the Complete Incident / Synopsis de l'incident complet	
On July 16th, 2015 officers in Immigration secondary of Pearson International Airport were made aware of an incident that occurred where a passenger had assaulted an airport staff member, her traveling partner and one other person. She was arrested by Peel Regional Police and brought to CBSA for further processing after they finalized their process. The immigration officers were informed that the subject was arrested and charged by Peel Police with Assault and uttering death threats in regards to the incident. She was given a notice to appear and escorted to CBSA for Immigration processing.	
As Peel Regional Police brought the subject in to the Immigration office, c	

Adherence to the Policy / Conformité aux politiques

The use of soft empty hand techniques by BSO's
considered proportional and supported by CBSA Use of Force Policy.

to address the active resistance by the subject is

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no training recommendations resulting from this incident.

Signature & Date

David HARRIS

2016/05/31

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/07/26
Location of Incident / Lieu de l'incident	
Greater Toronto, Pearson International Airport - Terminal 1, T1 Immigration Secondary	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/09/21	2016/01/15

Management Review Completed by / Révision par la gestion complétée par

Name Nom	Nigel Suarez	Title Titre	(Acting) Manager : Use of Force Policy Unit, Arming Division (Chair)
Name Nom	Denis Vinette	Title Titre	Associate Vice-President, Operations Branch
Name Nom	Larry Murphy	Title Titre	Director, Arming Division
Name Nom	Bente Baklid	Title Titre	Director, Corporate & Program Services Division
Name Nom	Tammy Edwards	Title Titre	Director, Occupational Health and Safety
Name Nom	Caroline Joly	Title Titre	(Acting) Manager: Use of Force Instructor Recruitment and Development Unit, Arming Division
Name Nom	Zrinka Barisic	Title Titre	(Acting) Manager- Enforcement and Intelligence Programs Directorate
Name Nom	Julie Boileau-Bradette	Title Titre	Team Leader, OITP and Use of Force Unit, Learning Design Solutions Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division
Name Nom	Cathy Christenson	Title Titre	UOF/Firearms Instructor ; Use of Force Instructor Recruitment and Development Unit, Arming Division
Name Nom	John Beaten	Title Titre	Learning Design Specialist, Officer Induction and Enforcement Unit
Name Nom	Chris Hayes	Title Titre	Program Officer: Use of Force Instructor Recruitment and Development Unit, Arming Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer: Use of Force Policy Unit, Arming Division

Synopsis of the Complete Incident / Synopsis de l'incident complet

Note: The timings in this synopsis are based on times supplied by Officers in their reports. There were few times supplied overall in the 17 reports and some conflicted by up to a half hour depending on report. It appears the initial call for assistance occurred at or before 13:00 and the encounter was resolved at 14:14 when the passenger left PIA with Paramedics and was transported to the hospital.

On July 26th 2015, an Irish male Foreign National arrived at Lester B. Pearson International Airport, Terminal One on flight AC1929 from Dublin Ireland. At approximately 12:55 ET while in the CBSA Immigration Secondary, after being advised that he was inadmissible to Canada, he proceeded alone to a nearby washroom where he broke a glass bottle and proceeded to cut himself with the broken pieces.

Adherence to the Policy / Conformité aux politiques

The committee finds that the threat assessment articulated by the BSOs in their reports was accurate and appropriate but that the empty hand techniques and tactics used in subduing the subject were not in line with CBSA Use of Force Policy and CBSA Duty Firearm Training.

Although proper steps were taken by officers to notify the Superintendent and police, a number of Standard Operating Procedures noted in the Use of Force and Reporting SOP's were not followed when BSO's

moved in towards an armed subject. These include Section 2.1.4." Use and apply techniques taught during training that are appropriate to the situation" referencing that the risk assessment in the IMIM would indicate not going hands on with a person with a weapon; and 2.15 "Tactically reposition when necessary" referencing that the appropriate process was to maintain distance given the visible presence of the edged weapons.

Overall Comments and Recommendations / Commentaires globaux et recommandations

It is recommended that all BSOs involved should review contact and cover roles as described in lesson 10 of the DFC (see CBSA Duty Firearm Course Learner's Guide) to better understand the importance of delineating roles to aid transfer of information to newly arriving officers, lethal overwatch and areas of responsibility and communicating plans of action prior to committing to ensure coordination of the chosen response.

Because the action of BSOs

of moving in towards an armed subject was contrary to CBSA arming training and policy and had high potential of injury and risk to officer safety, it is recommended that they receive a refresher training session with a Control and Defensive, Firearm Tactics (CDFT) Instructor to discuss suitable response options to deal with a subject armed with edged weapons that ensures officer safety and is consistent with training.

An enhanced lesson plan should be added to all duty firearms training material (OITP, DFC, 3year re-certification) that elaborates on options of dealing with a barricade\stand-off situation that has exceeded the limits of training and equipment.

Signature & Date

Nigel SUAREZ

Signature

2016/01/15

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

Canada Border
Services AgencyAgence des services
frontaliers du CanadaPROTECTED
PROTÉGÉ **B** when completed
une fois rempli

Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

It is the Policy of the CBSA to collect information on the details of any use of force incident. This will provide the CBSA with information on the types and frequency of these incidents. It will also enable the CBSA to make important decisions regarding the safety and security of staff and ongoing training needs. The information collected on this form is protected and may be disclosed to internal or external sources as consistent with the Privacy Act (<http://laws-lois.justice.gc.ca/eng/acts/P-21/index.html>). The information is held in CBSA Bank PIB PPU 012. Further explanations about the information contained in the Bank may be found in the Info Source guide located in public libraries, or online at <http://www.infosource.gc.ca>.

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/02/24
Location of Incident / Lieu de l'incident	
Greater Toronto, Pearson International Airport - Terminal 1, LBPIA TERMINAL ONE--IMMIGRATION	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	, Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Name / Nom:	Badge Number / N° d'insigne:
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Decaire, Percy, Badge Number / N° d'insigne: 15569	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/04/07	2014/04/07
Management Review Completed by / Révision par la gestion complétée par	
Name Nom: Carmen MANLONGAT	Title Titre: Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
<p>I COMMENCED AN IMMIGRATION REVIEW OF A CASE FILE REGARDING THE SUBJECT AT APPROXIMATELY 22:40. SUBJECT HAD BEEN REPORTED FOR NON COMPLIANCE AND FINANCIAL INADMISSIBILITIES. SUBJECT WAS OFFERED THE OPPORTUNITY TO BE ALLOWED TO LEAVE BUT SAID THAT SHE DID NOT WANT TO DO THAT AND WANTED TO REMAIN IN CANADA. I TOLD SUBJECT THAT I WOULD BE UPHOLDING THE REPORTS AND TOLD HER THAT SHE WOULD BE GOING TO AN ADMISSIBILITY HEARING. I EXPLAINED HOW THAT AT AN ADMISSIBILITY HEARING AN ADJUDICATOR WOULD HEAR HER CASE AND MAKE A DECISION AS TO WHETHER SHE COULD BE ADMITTED TO CANADA AS A VISITOR OR WHETHER A REMOVAL ORDER, IN THIS CASE AN EXCLUSION ORDER, WOULD BE ISSUED. I EXPLAINED THAT THERE WOULD BE A HEARINGS OFFICER THAT WOULD PRESENT EVIDENCE ON BEHALF OF CBSA AND THAT SHE WOULD HAVE THE RIGHT TO BE REPRESENTED BY LEGAL COUNSEL AND THAT SHE WOULD HAVE THE RIGHT TO SUBMIT EVIDENCE AND TO CALL WITNESSES. SUBJECT STATED THAT SHE UNDERSTOOD. I TOLD SUBJECT THAT SHE WAS UNDER ARREST AND GAVE HER CHARTER AND VIENNA RIGHTS. SHE DID NOT WANT HER GOVERNMENT NOTIFIED AND I CALLED LEGAL AID ON HER BEHALF. I TOLD SUBJECT THAT SHE WOULD BE FINGERPRINTED AND PHOTOGRAPHED AND</p>	

Adherence to the Policy / Conformité aux politiques

yes, force used was appropriate

Overall Comments and Recommendations / Commentaires globaux et recommandations

Based on the debrief and reports it was determined that the force used was appropriate, therefore no recommendation for training assistance is required.

Signature & Date

Carmen MANLONGAT

2014/04/07

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/05/01
Location of Incident / Lieu de l'incident	
Greater Toronto, Pearson International Airport - Terminal 1, PIA - T1, Immigration	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Borgia, Fernando, Badge Number / N° d'insigne: 14728	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/07/10	2014/07/10
Management Review Completed by / Révision par la gestion complétée par	
Name Nom: Carmen MANLONGAT	Title Titre: Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
I had an opportunity to speak with both officer with respect to incident number Below is a detailed account describing the events of May 1st 2014 as recounted by officer	
<p>On the 01 May 2014 I was working at Pearson Airport Terminal One Immigration Secondary from 1400 to 00:00 hrs and was at desk 11. At approximately 2310 hours entered Immigration secondary. Her flight arrived at 19:40 hours and she was only presenting herself now almost more than three hours after her flight arrived which is highly irregular and presented concerns. When asked why she had not come to immigration all this time she said she was looking for her friend but she was not travelling with anyone. The client stated she had no checked luggage but she was in possession of a bag tag under her name for Turkish airlines. The airline also confirmed she had in fact checked a bag. She had no plan or reason to be in Canada and was counselled to accompany me to the baggage hall to retrieve her bag. At this point the client became non compliant refusing after multiple requests to accompany me to the baggage hall.</p>	

Adherence to the Policy // Conformité aux politiques

appropriate use of force was used.

Overall Comments and Recommendations / Commentaires globaux et recommandations

Officer's should review case law Cluett v. The Queen:

This case law reaffirms the importance of arresting when Officers have grounds as one of the officers in the above listed case law was found guilty of man slaughter.

Officers should review the IMIM, legal articulation and their authority to arrest.

Signature & Date

Carmen MANLONGAT

Signature

2014/07/10

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/06/25
Location of Incident / Lieu de l'incident	
Greater Toronto, Pearson International Airport - Terminal 1, Pearson Terminal One Immigration Secondary	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Name / Nom:	Badge Number / N° d'insigne:
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Decaire, Percy, Badge Number / N° d'insigne: 15569	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/07/29	2014/07/29
Management Review Completed by / Révision par la gestion complétée par	
Name Nom Carmen MANLONGAT	Title Titre Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
My name is [REDACTED] I am currently employed as a Border Services Officer (BSO) with the Canada Border Services Agency. My current assignment is at the Port of Entry of Pearson International Airport (PIA) in Mississauga, Ontario, Canada. I am deployed to the Passenger Operations District, Immigration Secondary Inspection Office at PIA, Terminal One. On Tuesday June 24, 2014, at approximately 2120 hours, I was performing my duties as directly related to aforementioned function, at Terminal #1 in PIA, conducting Secondary inspection duties of passengers referred to our office. I was seated in the "fast-flow" area. At this time I heard loud shouting, followed by screaming by a female in what I believe to be the French language, and heard sounds of a struggle, and heard the voice of Superintendent [REDACTED] issuing loud verbal commands to "stop" and "calm down".	

Adherence to the Policy / Conformité aux politiques

yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

Based on the reports it has been determined that the force was appropriate, therefore no recommendation for training assistance is required.

Signature & Date

Carmen MANLONGAT

2014/07/29

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2014/06/28
Location of Incident / Lieu de l'incident	
Greater Toronto, Pearson International Airport - Terminal 1, TPIA TERMINAL 1 - IMMIGRATION SECONDARY	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Name / Nom:	Badge Number / N° d'insigne:
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Decaire, Percy, Badge Number / N° d'insigne: 15569	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2014/07/29	2014/07/29
Management Review Completed by / Révision par la gestion complétée par	
Name Nom	Title Titre
Carmen MANLONGAT	Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Events as recollected by Superintendent	
<p>On this date, 28 June 2014, I was working at Toronto Pearson International Airport, Terminal 1 in the Immigration Secondary area as the on-duty Superintendent.</p> <p>At approximately 08:30 I received a phone call in the Superintendent's office from Officer _____ regarding a United States citizen who he had concerns with regarding whether he was admissible to Canada - including concerns with the genuineness of his travel document. I went from my office to the 'fast-flow' area, which is an L-shaped configuration of 18 desks that the officers sit at when conducting their examinations. The desks that the officers sit behind are raised approximately 2-3 feet from the ground area where the travelling public stands while being examined. I got to Officer _____ desk, number 4, and examined _____ stating that he was travelling to Canada from New York, on a one-way ticket and hoped to stay around 3 days. He advised me that _____ did not have anywhere to stay in Canada and could not provide a genuine reason for travelling to Canada.</p>	

Adherence to the Policy / Conformité aux politiques

Yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

Based on the debrief and reports it was determined that the force was appropriate, therefore no recommendation for training assistance is required.

Signature & Date

Carmen MANLONGAT

Signature

2014/07/29

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2014/12/29		
Location of Incident / Lieu de l'incident			
Greater Toronto, Pearson International Airport - Terminal 3, Toronto Pearson - Terminal 3 - Secondary #5			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: Frimpong, Michael, Badge Number / N° d'insigne: 14717			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2015/10/09	2015/10/09		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Carmen MANLONGAT	Title Titre	Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet			
was the subject (and was CPIC positive for previous importation of controlled substances.			

The incident occurred directly in front of secondary counter 5, terminal 3, Toronto Pearson.

Synopsis of Incident as per Principal Officer

was standing at the counter. BSO confirmed that the andriol testocaps that belonged to were a controlled substance. did not have a prescription. I advised that he was under arrest for smuggling and approached him from his left side around the counter.

Adherence to the Policy / Conformité aux politiques

yes

Overall Comments and Recommendations / Commentaires globaux et recommandations

No further training or debrief is needed for this incident.

Signature & Date

Carmen MANLONGAT

Signature

2015/10/09

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/01/02
Location of Incident / Lieu de l'incident	
Greater Toronto, Pearson International Airport - Terminal 3, Toronto Pearson International Airport, Terminal 3	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoins (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2017/05/05	2017/05/29
Management Review Completed by / Révision par la gestion complétée par	
Name Nom David Harris	Title Titre Manager : Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom Trevor Berg	Title Titre UOF/Firearms Instructor/ Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom Kerry Tierney	Title Titre Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom Nigel Suarez	Title Titre Senior Program Advisor: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Synopsis of the Complete Incident / Synopsis de l'incident complet	
On January 2nd 2015 at the Toronto Pearson International Airport BSO was advised that there was a coming from Montego Bay, Jamaica. The Integrated Compliance Enforcement Team (ICET) officers identified the subject he was known in CPIC to be violent and to use weapons to ensure he did not access his checked luggage and remove any possible weapons.	
A CPIC check of the subject was conducted prior to his arrival in secondary. The conditions of not being in possession of alcohol were noted. Upon the subject's arrival in secondary, it was noticed that he had one checked bag and a duty free box for Jamaica used to carry alcohol. The subject took ownership of the alcohol and luggage. A call to police was placed to see if they were interested in attending for the breach of his conditions.	

Adherence to the Policy / Conformité aux politiques

The use of soft physical control techniques to address the passive resistant behavior of the subject is considered appropriate, proportional and supported by CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no recommendations concerning this use of force incident.

Signature & Date

David HARRIS

Signature

2017/05/29

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident
	2015/03/20
Location of Incident / Lieu de l'incident	
Greater Toronto, Pearson International Airport - Terminal 3, Terminal 3 secondary point	
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)	
Name / Nom:	Badge Number / N° d'insigne:
Witnesses (if any) / Témoin(s) (si applicable)	
Technical Review Completed by / Revue technique effectuée par	
Name / Nom: Borgia, Fernando, Badge Number / N° d'insigne: 14728	
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu
2015/08/17	2015/08/17
Management Review Completed by / Révision par la gestion complétée par	
Name Nom: Carmen MANLONGAT	Title Titre: Manager, Training and Learning
Synopsis of the Complete Incident / Synopsis de l'incident complet	
Below is a detailed account describing the events of March 20th 2015 as accounted by Officer	
I, BSO at Pearson International Airport Terminal 3 will attest to the following:	
<p>On March 20, 2015 at approximately 1045 I was walking down towards secondary from primary when I approached a few BSO's escorting two passengers with bags past the secondary exit point. The officers were directing the two passengers in towards the customs secondary area. As I approached the scene I noticed that one of the passengers, was walking away from the group of officers back towards the baggage area. I was blocking his way as BSO non-verbally indicating to me not to allow him to exit. As he approached me with a calm voice saying that he did not want to go into secondary. We tried to explain why a secondary examination was needed, as we did so the passenger tried to run back into the baggage hall but was blocked by me.</p>	

Adherence to the Policy / Conformité aux politiques

Appropriate use of force used.

Overall Comments and Recommendations / Commentaires globaux et recommandations

Based on Officer _____ report it was determined that the force applied was appropriate and therefore no recommendations for training assistance is required.

Signature & Date

Carmen MANLONGAT

2015/08/17

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2015/05/13		
Location of Incident / Lieu de l'incident			
Greater Toronto, Pearson International Airport - Terminal 3, Terminal 3 - secondary			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoin(s) (si applicable)			
Name / Nom:	Badge Number / N° d'insigne:		
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: Jami MOORE, Badge Number / N° d'insigne: 16948			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2016/02/29	2016/02/29		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	Nigel SUAREZ	Title Titre	Senior Program Advisor: Use of Force Policy Unit, Arming Division
Name Nom	Maureen Haley	Title Titre	Senior Program Advisor - Compliance Programs Unit, Border Programs Directorate
Name Nom	Dave Harris	Title Titre	Manager : Use of Force Policy Unit, Arming Division
Name Nom	Caroline Joly	Title Titre	A/Manager: Use of Force Instructor Recruitment and Development Unit, Arming Division
Name Nom	Zrinka Barisic	Title Titre	A/ Manager- Enforcement and Intelligence Programs Directorate
Name Nom	Julie Boileau-Bradette	Title Titre	Team Leader, OITP and Use of Force Unit, Learning Design Solutions Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer: Use of Force Policy Unit, Arming Division
Name Nom	Jami Moore	Title Titre	UOF/Firearms Instructor: Use of Force Policy Unit, Arming Division
Name Nom	Amanda Hurley	Title Titre	Senior Program Advisor, Traveller Operations Division

Synopsis of the Complete Incident / Synopsis de l'incident complet

On May 13, 2015, Passenger [REDACTED] arrived in Toronto's Pearson International Airport on board China Airlines flight MU 207. [REDACTED] stated to the Immigration examining officer that he was seeking entry to Canada as a temporary visitor. He was evasive in his answers and at one point left the interview and had to be convinced to return. Based on the information he provided, his unwillingness to answer questions, combined with a lack of reception and planning in Canada, it was determined by the examining officer that he was a non-genuine visitor and thus was offered the option to withdraw his application to enter Canada. He accepted that option.

He was then escorted to the secondary examination area of Terminal 3. [REDACTED] was in possession of a hand bag. His bags were on the examination table. He protested the examination of his bag and refused to provide the PCO with the bag.

Adherence to the Policy / Conformité aux politiques

The soft empty hand techniques used by BSOs and SUPT in order to compel the subject (who was not arrested/detained) to stand in front of the baggage examination counter was outside of CBSA Use of Force Policy as there was ample time to have performed the arrest prior to using force.

Overall Comments and Recommendations / Commentaires globaux et recommandations

The committee recommends that the officers involved review the arrest procedures with a use of force instructor in order to ensure that use of force by officers only happens after arrest (when it is safe to do so).

In order to avoid injury to subjects (including their ribs), it is recommend that all officers involved review the approved techniques for handcuffing in the prone position with a use of force instructor.

The committee recommends that the officers involved review the technique (escort wrist lock) for escorting arrested/detained individuals with a use of force instructor in order to ensure they can maximize control and limit the possibility of self-harm or escape when officers risk assessment deem it necessary.

Signature & Date

Nigel SUAREZ

2016/02/29

Signature

Date

Arming Division / Division de l'armement (05/15) v.1.4.1

Canada Border
Services AgencyAgence des services
frontaliers du CanadaPROTECTED
PROTÉGÉ

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when completed
une fois rempli

Management Review Report - CBSA Use of Force Incident

Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident		
	2015/08/24		
Location of Incident / Lieu de l'incident			
Greater Toronto, Pearson International Airport - Terminal 3, Toronto International Airport Terminal 3 Secondary Customs			
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)			
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Name / Nom:	Badge Number / N° d'insigne:		
Witnesses (if any) / Témoins (si applicable)			
Name / Nom:	Badge Number / N° d'insigne		
Name / Nom:	Badge Number / N° d'insigne:		
Technical Review Completed by / Revue technique effectuée par			
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712			
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu		
2017/05/15	2017/05/25		
Management Review Completed by / Révision par la gestion complétée par			
Name Nom	David Harris	Title Titre	Manager : Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Trevor Berg	Title Titre	UOF/Firearms Instructor/ Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom	Kerry Tierney	Title Titre	Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Synopsis of the Complete Incident / Synopsis de l'incident complet			
On the 24th of August 2015, BSO was working at Pearson International Airport Terminal 3 as a uniformed Border Service Officer when BSO encountered the subject; Canadian citizen, returning from Jamaica. The subject was arrested for smuggling suspected narcotics and offered her Charter rights.			

Technical Soundness / Validité technique

The soft physical controls used by officers threatening self-harm was necessary, proportional and in accordance with the CBSA Use of Force Training. to control the subject who was

Adherence to the Policy / Conformité aux politiques

The soft physical controls used by officers threatening self-harm was necessary, proportional and in accordance with the CBSA Use of Force Policy and Training. to control the subject who was

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no recommendations resulting from this incident.

Signature & Date

David HARRIS

Signature

2017/05/25

Date

Arming Division / Division de l'armement (05/15) v.1.4.1



Management Review Report - CBSA Use of Force Incident Rapport de revue de la gestion – Incident du recours à la force de l'ASFC

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Incident No. / N° de l'incident	Date of Incident / Date de l'incident	
	2016/04/11	
Location of Incident / Lieu de l'incident		
Greater Toronto, Pearson International Airport - Terminal 3, PRIMARY		
Officer(s) Directly Involved / Agent(e)(s) directement impliqué(e)(s)		
Name / Nom:	Badge Number / N° d'insigne:	
Witnesses (if any) / Témoins (si applicable)		
Technical Review Completed by / Revue technique effectuée par		
Name / Nom: TREVOR BERG, Badge Number / N° d'insigne: 10712		
Date Management Review Commenced / Date que la révision par la gestion a commencé	Date Management Review Concluded / Date que la révision par la gestion a conclu	
2017/05/05	2017/05/29	
Management Review Completed by / Révision par la gestion complétée par		
Name Nom David Harris	Title Titre	Manager : Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom Trevor Berg	Title Titre	UOF/Firearms Instructor/ Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Name Nom Kerry Tierney	Title Titre	Senior Program Officer: Defensive Tactics Policy Unit, Defensive Tactics Program Division
Synopsis of the Complete Incident / Synopsis de l'incident complet		
On Aril 11th 2016 while in the Primary area A/Supt. heard yelling coming from some passengers and noticed a family of three located in the special services line.		

Subject 1 appeared to have outbursts of yelling and kicking (related to a mental health condition). Subject 1 was kicking the

specials services counter, as well as attempting to hit and kick Subject 3 (younger brother). During and after processing Subject 1 continued with his outbursts into the baggage area where he attempted to kick other travellers and did succeed in coming in contact with one female traveller (female was not injured by contact). A/Supt. [redacted] approached the family and attempted to escort them thru the baggage hall when Subject 1 began yelling and kicking. Subject 3 was visibly upset and appeared to be in shock over the incident. With the last outburst Subject 3 and A/Supt. [redacted] escorted Subject 1 to the public area to meet their father who was expected to diffuse the situations.

Just before the point area Subject 1 had another outburst kicking and attempting to assault Subject 3. A/Supt. [redacted] interdicted by securing Subject 1 against the wall so he could not continue his assault of Subject 3. Once Subject 1 had calmed down he was escorted with Subject 3 to his father awaiting his arrival. At this time A/Supt. [redacted] escorted Subject 3 back to the baggage hall so he could assist his mother. While talking to Subject 2 she was visibly upset crying and shaking over the incident.

A/Supt. [redacted] advised her of the physical restraint required to stop the assault of her son (Subject 3) and if she had any questions or concerns to feel to contact our office. Assistance was offered by an RCMP plain closed officer as well as CBSA officer due to the physical actions of the subject. Assistance was declined. Minimal use of force was used only to restrain the subject and further officer presents would have only aggravated the situation due to the subject mental health condition.

Adherence to the Policy / Conformité aux politiques

The use of soft physical control techniques to stop the assaultive behavior presented by the subject is considered necessary and supported by CBSA Use of Force Policy.

Overall Comments and Recommendations / Commentaires globaux et recommandations

There are no training recommendations resulting from this incident.

Signature & Date

David HARRIS

Signature

2017/05/29

Date

Arming Division / Division de l'armement (05/15) v.1.4.1